

91st Illinois General Assembly Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

May 13, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Dr. Roger Rominger, First United Methodist Church, Springfield, Illinois. Dr. Rominger.

DR. ROGER ROMINGER:

(Prayer by Dr. Roger Rominger)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Thursday, May 6th, and Friday, May 7th, 1999.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journals just read. There being no objection, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 11th, and Wednesday, May 12th, in the year 1999, be postponed, pending arrival of the printed Journals.

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PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1236, offered by Senator Rauschenberger.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 130, offered by Senators Syverson and Rauschenberger.

It's substantive, Mr. President.

PRESIDENT PHILIP:

Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Mr. President -- thank you, Mr. President. To announce a Republican Caucus. For all those that are still in their offices, I hope they all can hear me: We're having a Republican Caucus in Senator Philip's office immediately.

PRESIDENT PHILIP:

And the Senate will -- as you know, the firemen are having a dedication today, I believe at 10 o'clock. So we -- we will come back -- the Senate will stand at ease until 11 p.m. -- a.m. Excuse me. a.m. So we stand at ease. If I might just have your attention for a minute. Up here on -- I think it's the west side of the Floor of the Senate, up front, believe it or not our Calendar from, I think, the year 1964, and there's a at-large ballot. Most of you weren't here then. In fact, I wasn't even here then. But a very good old friend of mine, who collects these kind of things, has asked us to put 'em on display. They're over

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here on display. Have a look at 'em. You'll get a kick out of the Calendar, the size of it. And of course, that's when we had the at-large ballot, where we -- the House had no districts at all. The Senate had districts, and so we ran at-large. And Republicans just got whopped. We elected fifty-nine and the Democrats elected, let's see, a hundred and eighteen. Thank God it only lasted one -- one Session.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, if I could have your attention, please. It is the intent of the Chair, momentarily, to move to page 21, Secretary's Desk, Concurrence, and deal with the nonconcurrence motions immediately, and then we will move right into 3rd Reading. So we need some Members on the Floor. If you're within the sound of my voice, please -- please come to the Floor immediately. We have a lot of work to do. Let me read to you the -- let me read to you the nonconcurrence motions. Senator Mahar would be first, Senate Bill 24; Senator Peterson, with Senate Bill 338; Senator Sieben, on Senate Bill 578; Senator Lauzen, on Senate Bill 878; Senator Radogno, on Senate Bill 1107; and finally, Senator Sieben, on Senate Bill 1183. I was in error. Strike Senate Bill 1107 and

Senate Bill 1183. I'm sorry. Senator Smith, do you know where all your Members are? ...do need some Democratic Members on the Floor, please, and a few more Republican Members on the Floor. Senator Sieben, if it's okay, on -- on Secretary's Desk, page 24, Senate Bill 578. Senator Sieben. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 578.

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The motion filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben has moved to nonconcur in House Amendments -- 1 to Senate Bill 578. Is there discussion on that motion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Waiting for Senator Mahar, Senator Peterson, Senator Lauzen. Bottom of page 25 is Senate Bill 878. Senator Lauzen. Motions to Nonconcur. Senator -- Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 878.

The motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Lauzen moves to nonconcur in House Amendment No. 1 to Senate Bill 878. Is there discussion on that motion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR DEMUZIO:

Well, it's come to my attention that one of our most faithful and loyal staff people is celebrating a milestone in her life today, a big milestone, I think, of some magnitude. And I would like for the Senate to recognize that our Assistant Secretary of the Senate, Linda Hawker, has a significant birthday, and I don't know how many years it is. You want to tell -- you want me to say that? I don't know how old it is. She'll tell you if you ask her, but I -- it's historic. I'd like for the -- for the Senate

to recognize one of our staff people who is celebrating her birthday today, Linda Hawker.

PRESIDING OFFICER: (SENATOR MAITLAND)

Linda Hawker, happy birthday. Happy birthday, Linda. ...right. Ladies and Gentlemen, on the top of page 5, Senate {sic} Bills 3rd Reading. Top of page 5, House Bills 3rd Reading. ...right. House Bills... Senator Rauschenberger, you're not going to deal with -- okay. Very good. Thank you very much. House Bill 17. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 17.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 17, as amended, provides for financial flexibility for school districts with a population of less than fifty thousand, have -- have sold tax anticipation warrants within the last three years, and are reliant on a property tax base of more than seventy-five percent residential. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is -- is there discussion? Is there discussion? If not, the question is, shall House Bill 17 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 48 Ayes, 5

Nays, no Members voting Present. House Bill 17, having received the required constitutional majority, is declared passed. Senator Sieben, for what purpose do you arise, sir?

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SENATOR SIEBEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR SIEBEN:

Ladies and Gentlemen of the Senate, it's my privilege -- it's my privilege and pleasure to make a couple of introductions today on the Senate Floor. We have with us today, from WGN Radio in Chicago, Mr. Orion Samuelson, the farm director for WGN, over here on the Republican side of the aisle. Very much a friend of agriculture here in Illinois. It's also my pleasure to introduce his guest that's with him today, Mr. John Huston, and John is the executive director of the National Cattlemen's Beef Association. Gentlemen, welcome to the Illinois Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Gentlemen. Orion Samuelson, John Huston, both good friends of mine also, welcome to Springfield. Nice to have you here with us

for awhile this morning. All right. Top of page 5 is House Bill 31. Senator O'Malley. Out of the record. House Bill 47. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 47.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley. I'm sorry. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 47 is in posture to go over for conference committee. It's a bill that we hope to try to resolve some of the challenges that the nuclear school districts and -- and nuclear local governments face. I'd appreciate a favorable roll call to send it

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out so we can put it in a conference posture.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 47 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, no Members -- 1 Member voting Present. House Bill 47, having received the required constitutional majority, is declared passed. House Bill 63. Senator Watson. Senator Watson? Out of the record. House Bill -- with leave of the Body, we'll go back to House Bill 80. House Bill 90. Senator Clayborne. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 90.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 90, with the Senate amendment, provides that if a minor under the age of seventeen years of age has been arrested or taken in -- into custody for a crime, the victim of the offense can petition the court for release of the minor's information. Upon the victim showing by clear and convincing evidence that the information is necessary for civil suit or for the protection of the victim's person or property, the court may then order a law enforcement agency to disclose the name -- the law enforcement agency -- the court may then order the law enforcement agency to disclose the name and address of the minor or the minor's parents or guardian of {sic} (to) the victim. I'm open for any questions. I ask for

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your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not -- I'm sorry. Senator Molaro.

SENATOR MOLARO:

Yes. I apologize to the sponsor, but I just want to know what we're doing here. You explained it fairly well, but I just want to make sure. Right now, obviously, if you're a juvenile, the idea of juvenile court system is to be that we would keep this confidential. As a matter of fact, when you go to juvenile court, only the lawyer and the juvenile's parents can even get in. The rest of the public's not allowed in. So therefore, we keep it so sacrosanct that because they're juveniles, we don't want their names released. What exactly are you trying to do with this bill and what -- what's the need for it?

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Ladies and Gentlemen -- Ladies and Gentlemen, we are on House Bills 3rd Reading. No one, including the present speakers, can hear what's going on. It's a very important day, very important issues. I'm going to insist that the Chamber remain quiet and the conferences be taken off -- the loud

conferences be taken off the Floor. The loud conferences be taken off the Floor. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and -- and to the question: The current law does provide for the release of certain information when it's believed that it's reasonable necessary; however, what this does, it takes it a little further and requires -- it allows that there be a clear -- clear and convincing -- there be clear and convincing evidence to show that this information is necessary in cases of possibly a civil suit or for protection of the victim's person or property. This arose out of an incident in my

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district in which a person was severely beaten and they felt that they would like to have this information not only for the protection of -- of the -- the victim in the future, but also to consider some other action. And what this would allow, would give them the mechanism by which they could go to court, and, obviously, they would still have to prove certain things before this information would be released.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Well, the only thing that I want to have safeguards on, and I guess it's too late to do that, would be the fact that someone could come up - there was a victim - and say I need it for -- "I'm going to file a -- a civil lawsuit", and get the name and address and put out fliers, put it on the Internet. What if you give the names and addresses out of these juvenile offenders and the information given by the court is abused by the person getting the information? They then don't file a lawsuit and -- and what we've done is open up the juvenile records for everyone to see. Are there any kind of safeguards built into this bill that would stop someone from doing that?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

You know, obviously, if -- if they did abuse it and they did something other than what they said they're going to use it for, I would assume, just as any other proceeding, they could be held in contempt and be brought back into court, for those safeguards. This language was specifically -- particularly limited as to what this information could be released for.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Welch.

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SENATOR WELCH:

Well, I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Clayborne, don't you think that a lot of parents of -- of victims would try to get this information just to make the juvenile's name public?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

I don't think that's necessarily true. I think, in instances where they may feel that there's a continued threat, that obviously they would have some concern and -- and would want to know and would want to know where they live so that they could more or less protect or provide some comfort for -- for the victim. But, again, I think with the limited language in here, that there are safeguards to try to prevent abuse of this information. And -- and currently, this -- this information can be released.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall House Bill 90 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 5

Nays, none voting Present. House Bill 90, having received the required constitutional majority, is declared passed. Senator Mahar, on House Bill 92. Senator Mahar. Senator Robert Madigan, on House Bill 133. Out of the record. Senator Dillard, on House Bill 152. Senator Robert Madigan, on House Bill 161. Senator O'Malley, on House Bill 230. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Madam President, Ladies and Gentlemen of the Senate, House Bill 230, as amended, authorizes local boards of education to establish a charter school. It allows that local board of education, either on its own initiative or through an intergovernmental agreement, to form not more than one. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Unfortunately, Madam President, I hit the speak button instead of the Yes button on my own bill. So would the record reflect that I would have...

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will certainly show your intent, Senator Clayborne.

SENATOR CLAYBORNE:

Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell, on House Bill 230.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

I have a -- a very large school district that has a number of high schools. It's Glenbard system. And there's been a couple of

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groups of citizens that have come to me and talked to me about possibly having one as a -- as a -- a math charter school, in

effect, another one as an arts charter school, is {sic} effect.
Would this prohibit this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

That's a very good question, and that's why we offered Senate Amendment No. 1 to clarify that this allowed a school district on its own initiative, a board of education on its own initiative, to establish a charter school. This would not preclude anyone else who is a proponent for a charter school from -- from pursuing a proposal for a charter school.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator...

SENATOR O'MALLEY:

That's what our amendment did.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Would they -- would they be limited to just one?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

You could have more than one charter school in a school district; however, you could not have more than one that was initiated by the school board itself.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Seeing none, the question is, shall House Bill 230 pass. Those in favor

will vote Aye. Opposed, Nay. And the voting's open. Have all
voted who wish? Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 59 Ayes, no
Nays, none voting Present. House Bill 230, having received the
required constitutional majority, is declared passed. Senator
Shaw, on House Bill 236. Senator Burzynski -- oh. Senator Shaw.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Thank you very much, Madam Speaker {sic}. This is a clean-up
bill for the -- for LRB, and what we want to do is send this bill
over to the House and then they will put the clean-up language in
over there. And it will come back to us, and I ask for an Aye
vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 236 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 236, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 245. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is exactly what the Secretary read. Amends Professional Boxing and Wrestling Act to provide for the licensing of matchmakers. Legislation prohibits promoters from being licensed as a record {sic} (second), boxer, referee, timekeeper,

judge, or manager. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, question is, shall House Bill 245 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 245, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 279. Read the bill... Out of -- out of the record. Leave of the Body, we'll come back to 287. Senator Rauschenberger, on House Bill 303. Senator O'Malley, on House Bill 371. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 371.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Madam President, Ladies and Gentlemen of the Senate, House Bill 371 amends the Property Tax Code regarding the tax-exempt status of parcels owned by the Water Reclamation District. Makes it consistent with the status of property owned by other agencies such as the Water Reclamation District, and we made its provisions, by our Senate amendment that was adopted yesterday, we

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made them prospective, as -- as opposed to retroactive. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

And -- if the Senator would yield, I would like to ask a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

And how much, with respect to this tax exemption, is the Metropolitan Water Reclamation District going to -- what -- what is that going to mean in terms of dollars and cents? What's the loss?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

There -- there is no loss. Currently, these properties are exempt. This makes these properties have the same status as does the State of Illinois, the Toll Authority -- Toll Highway Authority, park and conservation districts, forest preserve districts, public water districts, port districts and municipal building corporations, and I could go on with the list. But it

gives them the same status that they have now. There is no loss of revenue in Cook County.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if there's no loss, why are we doing it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

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This clarifies, once and for all, that should a leaseholder default on payment of property taxes, that those property taxes are not going to continue to cloud Cook County's records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, this is the first time I've seen this bill. Are you -- are you telling me that the Metropolitan Sanitary District leases out property that they own, and we are now exempting them from property taxes? Is that what you're saying?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

No. I -- I -- I'm going to clarify your question and respond to it to the best way I possibly can. Why, I'm not suggesting that properties that now are not exempt shall be exempt, and that's not what this bill does, in any way, shape or form.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, what's the loss? Why -- I mean, I don't understand. Why -- what's the necessity for this bill? Somebody's going to pay the taxes. I mean, if the Metropolitan Sanitary District is exempt, I guess the poor personal property taxpayer out there is going to absorb the -- the liability. Is that right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

There is no tax on a leasehold interest -- or, I mean, I'm sorry, on the -- on the fee title to this property currently. There hasn't been and -- and there wouldn't be, with or without this legislation. There will be no taxes lost, in any way, shape

or form.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

So it's about seven hundred thousand dollars. Is that what -- is that -- is that it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

There is a -- the reason that this is in question originally and the way the legislation was passed in the House, without our amendment here in the Senate to make it prospective only, there would have been a question about some past revenue that are -- that is the burden of a bankrupt corporation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, the seven hundred thousand, what -- what was -- how long did it take to accumulate that which we -- we are not any longer dealing with?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

It's my recollection the testimony from the representative of the Water Reclamation District, Senator Demuzio, indicated that was the product of three different leases. One of them, in particular, was the -- the largest contributor represented at

bankruptcy, and the claim for that is pending, if at all, in the bankruptcy proceedings.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

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I can't say I fully understand what you're doing, but I know there is a loss somewhere, and I -- I assume that the personal property taxpayer is weighing the burden here. So I -- I don't think I intend to vote for your bill. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator O'Malley, to close.

SENATOR O'MALLEY:

Again, we made, with this amendment, this legislation prospective, in order to clarify the law. There is no loss of -- of -- or additional burden on anybody as a result of this legislation. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 371 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted

who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 18 Nays, 2 voting Present. House Bill 371, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 373. Senator Mahar, on House Bill 379. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 379.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President, Members of the Senate. This adds a self-assessment on the producers and retailers of propane to fund the -- Propane Education and Research Council. It is brought to us by the propane industry. I know of no opposition and would

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look forward to your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the

question is, shall House Bill 379 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 379, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 429. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 429 amends the Motor Vehicle Retail Installment Sales Act to include in the definition of the "amount financed" the amount actually paid or to be paid by the seller pursuant to an agreement with the buyer to discharge a security interest, lien interest, or lease interest on the property traded in. I don't know of any opposition and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Oh, I -- I rise in support of this bill. I mean, even though there won't be any bankers left in Illinois to make a decision on their car loan, I think this is a good bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there further discussion? Seeing

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none, the question is, shall House Bill 429 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 429, having received the required constitutional majority, is declared passed. Senator Mahar, on House Bill 452. Senator O'Malley, on House Bill 462. Senator Dillard, on House Bill 471. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a bill dealing with a topic that we really haven't tackled before in Illinois, and it regulates the body piercing of minor children. In Illinois, if you travel around and go anywhere around this State, or around the United States, for

that matter, body piercing has proliferated, and it has become more of an art form among not only young people, but just Americans in general. And what this bill does is it states that you need parental permission to have your body pierced, other than your ears, if you are a minor. Many states, according to the National Conference of State Legislatures, have laws regulating the body piercing of a minor child. The Chicago City Council -- the Chicago City Council, over the last month, and it came to fruition in a committee hearing of the Chicago City Council the day before yesterday, after extensive investigation by public health officials, an alderman in Chicago had a hearing and the Chicago City Council is about to vote - it passed out of committee

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- on regulating the body piercing of minors even more extensively than my proposed State law would go. But in committee testimony in the Chicago City Council, I think they hit the nail on the head, and this is a health concern and that is why I am proposing this law.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Dillard. Take our conversations off the Floor. And it's just a little -- we have a lot of guests on

the Floor. It's just those little soft conversations -- get magnified. So, please - it's a tough day - let's listen to Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I thought I ran for the Senate, not the House of Representatives. Concerning this bill, I'm not making a statement as to whether I think body piercing is good or bad. I'm just saying, when you are going to have what is tantamount to a surgical procedure, other than a child's ears, the parents should have to sign off on piercings of their child's body. I just want to -- before I close and answer any questions, in this City Council hearing, Alderman Gene Schulner, was the chairman of the committee, and he testified and said we found out, in many instances, that the equipment used was unsanitary. And while we don't propose to regulate these body piercers, like the Chicago City Council did, I think a parent, in consultation with your child, would make sure that, if they're going to have this procedure, it be done by somebody qualified and in a sanitary condition. A dentist testified in Chicago that, quote, "There are veins in the tongue, and if you pierce a vein, you've got a real problem." I don't know how somebody who pierces knows how to treat an uncontrollably bleeding tongue, other than dialing 9-1-1. And this dentist went on to say that infection is becoming a real big problem. When you pierce the tongue or the lips, like a lot

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of children are having done, there's a gigantic amount of bacteria, and that he's seen broken teeth from these children biting down on the rings, and he's seen much swelling and prolonged bleeding, including the choking and aspirating of these body piercings of the tongue. Parents testified -- three parents testified that their children contracted hepatitis A in the City of Chicago from having recent piercings, and a fourth parent testified that her teen suffered a serious infection after a recent lip piercing. So I believe, with the proliferation, with the testimony not only that I've received from parents in my district and throughout Illinois, because this has received quite a bit of publicity, we need to get a handle on this. And this Body has, in many instances, said parents should have rights when it comes to their children, and this is a surgical procedure. Again, it excludes ears. It makes it a Class C misdemeanor for anybody without permission to pierce the ears -- or, excuse me, pierce anything other than the ears of a minor. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. I don't have any questions, Senator Dillard, just a comment. I am in support of your bill, and I suppose most people in this Chamber will be; however, I do

find it rather ironic that in the State of Illinois we are going to demand that we have parental consent to have body piercing done, but we don't even mandate parental notification for abortions on a minor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator Dillard, could you tell us -- could you tell us who's going to enforce this legislation here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

I assume the enforcement would come from the police or, in some cases, the State's attorney.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

What does the -- are we -- are we saying that we're going to have the police standing by at all of these shops to -- I -- I happen to be for your bill, but I'm just trying to figure out whether we're going to have a policeman standing by to look at whether there's a -- you have a consent form or not. How are we doing -- is this final action on the bill? Let me ask you that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

To answer your first question -- or last question first, this has to go back over to the House for concurrence because there is an amendment on here. I think that this will be enforced primarily from a parent who will probably watch their child have an infection, contract hepatitis, like parents testified in Chicago. So it'll be the parent, I bet, the angry parent, who will somehow try to have this enforced against whoever put holes in their child's body.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

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SENATOR SHAW:

Yes. On the -- how are we to notify the parents that we have just passed this legislation down here? Most parents, in my own opinion, don't read all of the bills that we send out here. How are they to do this? Are we mandating that the -- in this bill, are we mandating that the shops who does the piercing tell the parents of the child before they perform this surgical procedure?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Senator Shaw. I'm glad you called it a surgical procedure, because that's what it is. It's like any law in the State of Illinois. Notice goes out in a variety of ways. It's page one in the Chicago Tribune for about the fifth or sixth time. The Sun-Times has stories. It's been on all the television stations up in Chicago. So I think the coverage, the press coverage of this, has been extraordinary. And, believe me, the people who pierce people's bodies, I think, know about this and they're going to have to require parental permission before they do it in the future, excluding ears.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Finally, are we, in this bill, mandating the shop owners to do anything, to notify the parents?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. You know, unlike the City

Council, Senator Shaw, in Chicago, we don't put a licensing requirement or bonding requirements like the City of Chicago has done. We haven't done all of that. All we're going to say to the

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people who are going to do the piercing is make sure you have the written consent of a minor if you're going to pierce something other than their ears. So it's not an onerous burden on anybody who pierces children's bodies.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Finally, the -- I believe that you could do a little more work on this over in the House, when it go to conference committee. I believe that most Members here agree with you, in terms of trying to make sure that this piercing is sanitary and consent is -- is there, but I think that we need to go a little bit further in this bill and -- and possibly mandate that shopkeeper notify the -- the parents of the child, or something, or tell the child that they have to bring the parents in or get a consent form or something. It -- it -- I don't want to have the police standing guard around the State at these body shops saying that I want to look at -- see

whether you have a consent form or not. As long as we're not going to have the Department of Public Health do this, I think we just need to do a little more work on this, and, certainly, I support the legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you -- thank you, Madam President. Senator Bobby Molaro may have a conflict on this bill, but he did say he'll vote his conscience.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Would the sponsor yield for questions?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, I really don't have a lot of problems with what you're trying to do here, but I'm -- I'm a little confused now,

after hearing the testimony, whether the issue is safety or whether it's parental consent. I guess my question boils down to: If it is unsafe and they use, in many cases, you put it, needles that may -- may not be sanitary, et cetera, why have we exempted ears? I mean, it seems to me that piercing is piercing. And what is your reason for exempting ears from this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Jacobs, it's primarily because, as I told you about the dentist, the mouth has a lot of bacteria. Piercing eyelids is -- is a big thing. The eye is very susceptible to infection, and ears are not as much of a health problem. And this bill is really about two things: It's about parental consent for minors, as we have in so many places in State law, but it's also a concern about health. And the ears do not constitute as much of a health risk as other parts of the body that are being pierced in record numbers by people, of minor children.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, it's my understanding in the bill, Senator, that there is nothing that says anything about sanitary conditions or health conditions, that it's really about consent. And I guess that if someone is going to pierce a naval or they're going to pierce an ear, as a parent, if the bill is truly about getting the parental consent, I think it should be in total. And I would perhaps agree

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with Senator Shaw, that maybe we can continue with some of these things over in the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Dillard, to close.

SENATOR DILLARD:

Thank you. I think we've spoken plenty on this, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 471 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, 1 voting Present. House Bill 471, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 472. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 472.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 472 is identical to Senate Bill 421, which we passed earlier this year, which allowed a privately held entity with more than four hundred shareholders, which is exempt from the Federal 10K reporting, to provide substitute information in satisfaction of the financial disclosure requirements for bidders. What we did do is add an amendment to the bill which makes it applicable to partnerships and limited liability companies with over four hundred partners or members. And this was to address concerns of the Auditor General, finding auditing contracts with large accounting firms. And I don't know

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of any opposition and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh indicates he'll yield, Senator Welch.

SENATOR WELCH:

Good. This -- my analysis says that there is a -- I can read

it here - the bill creates an exemption from disclosure for bidders on State contracts with an annual value of ten thousand dollars. Why do we want to create any exemptions for anybody on -- on State contracts, when we had so much trouble last year and the year before with State contracts?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

This isn't an exemption. This is a different reporting requirement for them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

It's not an exemption from disclosure, is what you're saying?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

In -- instead of listing their -- each one of their shareholders, what they would do is they would be able to provide a 10K, and that would -- that would suffice the Procurement Code requirements that we passed last year.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

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SENATOR WELCH:

So it's not a exemption from competitive bidding. It's just an exemption from reporting who the -- the -- the owners are. Okay.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Yeah. Right.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam Chairman. Basically, then, Senator, it's -- this is kind of a partnership's agreement. You would not be able to know who they are. Attorneys and partnerships.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

This is -- this is identical, you know, the first part, and -- and -- right, with the partnerships in a large accounting firm would be -- would be exempt from the requirement of listing each one of the owners and would -- would be able to have an alternative.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

Well, and my particular feelings are that we all have to be so very careful as to how we vote on issues where we may have a conflict of interest. I do not feel that this is in the best interest to any of us here. And I sincerely hope that this bill will be voted down simply because I think the disclosure law is more valid today than it's ever been, and I don't see any real

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reason for it to be hidden right now. So I'm sorry, Senator, but I disagree with this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Thomas Walsh, to close.

SENATOR T. WALSH:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second. Okay. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I don't know if it'll make Members feel more comfortable, but as we worked on the procurement bill, one of the things that we -- we were not able to take into consider -- consideration are large public entities that are organized as partnerships. The statutory

language that Senator Walsh is bringing forward corrects what I believe is a flaw. All last summer, we met with Representative Schoenberg and vetted this pretty carefully. Out of a list of seventy-eight requests, we ended up with six that we completely agreed with, and this is one of those six. So I appreciate people being concerned that we're -- we're changing the Procurement Code, but having worked on it for almost five years, I just would like to -- people to feel comfortable that, to the extent that you think that I know what I'm talking about about it, it's the right thing to do.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 472 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 6 Nays, 2 voting Present. House Bill 472, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 485. Read the bill,

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Mr. -- Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 485.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President and Members of the Senate. House Bill 485 creates the Children's Product Safety Act. The bill prohibits any business from remanufacturing, selling, leasing, or placing in the stream of commerce any crib or other children's product that is unsafe. A product is considered -- a product is deemed unsafe if it does not conform to all federal and State laws and regulations, it has been subject to a recall, or the federal or State government has advised against the product's use. The Illinois Department of Public Health is required to compile a list of children's products that are unsafe and publish the list on the Internet. A violation of the Act is a Class C misdemeanor. Child care facilities may not use or have on the -- on their premises any of the products listed by the Department of Public Health. Child care facilities found in violation of this Act constitutes grounds for revocation of their facility license. This bill came to me from a lady who lives three doors down the street from my sister in Lincoln Park, in Senator Cullerton's district. It was a year ago yesterday that her son was dropped off at a day care center that was licensed by DCFS. When she came back, her sixteen-year-old {sic} boy was dead. Linda Ginzel did not just grieve. Linda went into action and decided that she was going to do something about this so this never happened again. She

formed a organization called Kids In Danger. This is just one step of what Linda has done in the year since her son has -- has

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died. Unfortunately, there was one other incident in the meantime of a child out on the East Coast that was killed by a crib very similar to the crib that her -- her baby was killed in. I'd be happy to -- answer any questions, and would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 485 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 485, having received the required constitutional majority, is declared passed. Senator Parker, on House Bill 520. Senator Bowles, do you wish to return House Bill 523 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 523. Madam Secretary, have there been any amendments filed -- approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on House amendment -- or, on Floor Amendment No. 2 to House Bill 523.

SENATOR DILLARD:

Thank you, Madam President. This is really a suggestion from the Revenue Committee and, specifically, Senator Rauschenberger, that we put a ten-year sunset in this, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Burzynski, on House Bill 542. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a bill that was brought to me by one of the schools in my school district relative to the use tax on vehicles that are donated to schools for use in their vocational program. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 542 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. House Bill 542, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 578, Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. House Bill 578 creates a -- or, corrects a problem in our sales tax exemption -- Revenue Code that was caused by an amendatory veto under the Edgar administration and firmly -- firmly establishes that property owned by historical societies for charitable purposes are exempt from property tax, a status that they have had. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 578 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted -- who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 578, having received the required constitutional majority, is declared passed. Senator Fawell, on House Bill 604. Senator Karpiel, on House Bill 658. Senator Robert Madigan, on House Bill 675. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 675.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President and Members of the Senate. House Bill 675 grandfathers twelve naprapaths who had practiced naprapathy in another state before coming to Illinois. I know of no opposition to House Bill 675 and would ask for its approval.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 675 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting Nay, 1 voting Present. House Bill 675, having received the required constitutional majority, is declared passed. Senator Clayborne, on House Bill 702. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 702.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. House Bill 702 is an initiative for the Metro-East area, in my state, where both sides, Missouri and Illinois, are leveraging funds to create what will be designated as the Metro-East Park and Recreation District for the counties of Madison, St. Clair, Monroe, Clinton and Jersey County. There will be a -- if these counties are interested, there will be a front-door referendum for each district before any taxes are levied and before any bonds are issued. And basically these monies will be used to leverage federal funds, as well as State funds, to create a pool of money to continue to expand the parks, more particularly in the City of East St. Louis, and to also provide sources of revenue for municipal parks, as well as county parks. The maximum levy that can be instituted will be one percent of one -- one-tenth of one percent on the gross receipts of all taxable sales made in the course of -- of that particular business. I'm open for any questions and I -- I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 702 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 9 Nays, and 1 voting Present. House Bill 702, having received the required constitutional majority, is declared passed. Senator Watson, on House -- do you wish to recall House Bill 733 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 733. Madam Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, on Amendment No. 1.

SENATOR WATSON:

Thank you very much, Madam President. This simply adds an immediate effective date.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Watson, on House Bill 777. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 777.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This particular piece of legislation allows the Department of Corrections to enter into negotiations to establish possibly long-term care facilities for inmates. We amended the bill to allow for a local sign-off, or require a local sign-off, and also those individuals who were sentenced under Truth-In-Sentencing would be ineligible.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. I rise in support of this concept as well. And I think that if we

keep on passing some of these criminal law penalty increases, we're going to have to have many, many more of these nursing homes for prisoners. But it's really a pretty good idea 'cause we get some federal money that we're not getting right now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Question is, shall House Bill 777 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 6 Nays, none voting Present. House Bill 777, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 799. Senator Maitland, on House Bill 809. Senator O'Malley, on House Bill 819. Senator Dillard, on House Bill 833. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 833.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is an initiative of the Illinois Association of Park Districts, and it provides that a park district -- a downstate park district may lease their real estate to any corporation organized in this State that will covenant to use the park property for public purposes. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you -- thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator Dillard, in committee we discussed this bill, and did we clear up the information in regards to the taxing or the -- the real estate taxes on property that is being leased?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

...Walsh, I'm happy to share with you the statute, but the property's still owned by the park district, and it would be exempt, I believe, from real estate taxation, but I'm happy to share the statute with you and you can draw your own conclusion. But I think it's exempt.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further -- Senator Walsh.

SENATOR L. WALSH:

Thank you. Well, in committee, I thought the attorney for the Park Districts was going to bring forward that information for us. And I'm not an attorney, but it was my understanding that as -- like, townships, that if we lease property that we own and somebody is making a profit off of that, that that property is to be -- to be taxed and the -- the real estate taxes should be assessed as if they were privately owned.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Well, the statute for cities or districts with under two million inhabitants says that all property leased to a park district for a dollar or less per year and used - and this is very important - used exclusively as open space for recreational purposes not exceeding twenty acres is -- is tax-exempt. And I guess there is a public benefit, and that public benefit is that instead of having your local park district spend a million or two million dollars to build something, you are saved, as a taxpayer,

that expense and you let the private sector, who may do it better and may do it cheaper, do this, and you save the tax body from having to spend a lot of money.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh.

SENATOR L. WALSH:

But in the same regard, Senator, if -- if a corporation was to lease property from a park district and build a sports complex and leased it out or -- or provided the community with a sports team, would that -- would that not be an instance that should be -- should be taxed?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Dillard.

SENATOR DILLARD:

Well, Senator Walsh, you know, again, I'm not a -- a tax expert on this stuff, but if you find out that this isn't taxed, and you want to tax it, you know, introduce the legislation to tax this corporation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh.

SENATOR L. WALSH:

Well, I don't want to beat a dead horse here, but the thing of it is, is it just seems to me that we -- the bill is going to permit a ninety-nine-year lease, something that is questionable and -- on its own, and I think that I -- I concur with what we discussed in committee, as far as for the public benefit, but if we are going to allow corporations to sort of slide by on the premise of they're doing something good for the general public in the form of recreation but they actually are going to make profits off of it, I think that we should look further into the taxing situation of it. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Would the sponsor yield for a question, Mr. President?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

Well, just quickly then. There's no -- it is a good idea because you're saving -- your example would save two million dollars that the local park district board would have to provide, but then, of course, if it's not-for-profit, that would indicate that the fees would be lower, if fees are, in fact, charged. Now,

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either in this bill or in the rest of the park district bill, are there any safeguards as to what profiteers now can come in and charge and thereby create a problem you're trying to solve, because they'll charge so much money that the typical user wouldn't be able to use it because we can't afford to pay for the services that are now going to be provided by profit makers, as opposed not -- not-for-profit makers?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you. You know, clearly, if -- this is going to prohibit, and that's why you have a park district board. I mean, if you're going to exclude people from using this by what it would cost - and my guess is, in most cases, you know, there would be a minimal fee or it would be free - that's why you have an elected park board. And I think that most of these people are elected and, you know, the local park district and the residents who live there, they're going to have to answer to the public. But, again, Senator Molaro, the district -- park district wins because they don't have to put up a lot of -- a lot of amount of money for a capital project. A skating rink was what we were talking about a lot in -- in committee, and the public gets to use it. So the public wins, too, and in many cases, sometimes there are companies that operate things much more efficiently and much better than a

public body can do it. So this just gives the local park district in downstate Illinois - these are downstate park districts - the ability to enter into a corporate lease if it saves them money or serves the public better. And I do want to point out that these companies, while they may not have to pay real estate taxes, have to pay income taxes, they've got to pay sales taxes. So while they may get off the real estate rolls, again, there's a public purpose to this, and they pay other taxes, too.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. But I rise in support of the legislation because -- it's because of the park district leasing the property to a private individual. Once that lease is put into effect, then that particular parcel would go back on the tax roll. They have to pay real estate taxes on that property. And having had some experience at this, as the Mayor of -- of Dolton, I know that to be a fact. And there is no windfall here, and when the park district negotiates the lease with the private business, certainly the tax portion of that, the real estate tax portion of

that, would be included in that lease. And nobody's getting away for nothing here, particularly the private sector. So I would urge an Aye vote on 833.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. And again, I -- just to close and for the record. Senator Walsh, you know, I'm not a tax lawyer, so I'm still up in the air, and I'm not giving an opinion as to whether this property is real estate taxable or not. That'll probably have to be, for lack of a artful phrase, "duked out" at some point in time if a local government tries to tax such a situation. But this makes good sense to me. We allow this for not-for-profit corporations, and I think the public wins here because they probably get recreational use of property they wouldn't get otherwise. Taxpayers get a break because we don't have to expend capital money to do this. And, again, we ought to encourage privatization where possible. I'd appreciate a favorable vote.

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PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall -- House Bill 833 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 42 Ayes, 14 Nays, no Members voting Present. House Bill 833, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we have, in the upper gallery, upstairs, some people here from the Lindenhurst Park District, which is one of our best park districts in Lake County. Tom Lippert - L-I-P-P-E-R-T - is the executive director; Rene Metzelaar - M-E-T-Z-E-L-A-A-R - commissioner; MaryJo Suhar - S-U-H-A-R - commissioner; and the seniors from Lindenhurst Park District, Santa Drago, Helen Karczewski, Alma Tworek, Jenny Wohelski, and Mary E. Reljic. We're delighted to have us -- have them visit us here today, and let me tell you, they're great people. ...Welcome.

PRESIDING OFFICER: (SENATOR MAITLAND)

Will our guests in the gallery please rise and be recognized by the Senate? And welcome to Springfield. House Bill 835. Senator Jacobs. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 835.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 835 is a bill that we passed before out of here, unanimously. At the time, I misspoke and said the City of Chicago was all right with it. I misunderstood that conversation. They were not. They asked to be removed, and that's what the bill does now. It removes the City of Chicago and strictly deals with the time in which a mayoral veto may be -- be considered. Ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 835 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 835, having received

the required constitutional majority, is declared passed. Bottom of page 7 is House Bill 839. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. House Bill 839 has been amended. Originally it was taking the identity of another person being illegal, as you know. The Judiciary Committee had asked that we amend it, and create a new offense of financial identify theft and aggravated (financial) identity theft. Basically what it is, is

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that individuals who have taken somebody else's identity and used it for personal gain of credit cards, purchasing products, such as that, and then the additional -- the original individual gets the bill, is now becoming an offense. There are a series of penalties, as the amount of theft is increased. We do have an

amendment. That was Amendment No. 2 that at least allowed the spouses to be able to obtain credit in the name of their husband when they have their permission. It doesn't have to be written. Otherwise, I know of no opposition. I think it's an excellent bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 839 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 839, having received the required constitutional majority, is declared passed. Top of page 8 is House Bill 845. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 845.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Sanitary District Act of 1936 which relates to the smaller sanitary districts that are organized under this Act, and it provides that a district may publish ordinance and contract notices in a paper of general circulation of the district.

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Provides that a district may annex contiguous properties served by another sewer system connected to and served by the district, and provides that a district's annexation agreement is binding for twenty years. And, as amended, it provides specifically that the Fox River Water Reclamation District of Elgin shall have five members who shall be appointed without regard to political party. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just rise in support of another one of Geo's good bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 845 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 56 Ayes, no Nays, 2 Members voting Present. House Bill 845, having received the required constitutional majority, is declared passed. House Bill 878. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 878.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. This bill comes as a result of a House Task Force on School Violence that was held over the last summer. They had hearings throughout the State, and they put together some language dealing with what they considered a solution, or at least some help, in regard to the school violence

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problem. As this particular bill went through the process, some were concerned about the single subject matter, and we did amend the bill, and this now only impacts the School Code. The remaining part of the legislation is now in the Attorney General's School Violence Task Force -- or, school violence legislative initiatives and has been voted on periodically throughout this Session. So this is agreed to and certainly would appreciate the support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 878 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 878, having received the required constitutional majority, is declared passed. House Bill 934. Senator Radogno. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 994 -- pardon me, 934.

(Secretary reads title of bill)

3rd Reading of the bill

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Members of the Senate. House Bill 934 will allow circuit clerks to help with writing and filing of paperwork on child support establishment or enforcement cases. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator -- is there discussion? If not, the question is, shall House Bill 934 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 934, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

On 878, Mr. President, my key was turned and I vote -- pressed the -- the Aye button but it didn't record. So if I -- the key were on, I would have voted Aye.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so recognize your intent, Senator Demuzio. Senator Lauzen, for what purpose do you arise?

SENATOR LAUZEN:

Let's see. Inadvertently, I voted No on House Bill 777, and I ask that the record indicate that my intention was to vote Yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will indicate that that's what you would have liked to have done, Senator Lauzen. House Bill 953. Senator Philip. Senator Dillard. House Bill 953. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 953.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard

SENATOR DILLARD:

Thank you, Mr. President. We amended this yesterday, as the Body may remember, and this allows the Republican Party to elect its chairman from within or without of the State central committee. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

Does this only affect the Republican Party?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Just the GOP, yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Well, how would it affect, for example, the possibility of Lee Daniels becoming the head of your party? Would this help or hurt that? In other words, I'm just trying to see how -- how this bill will fare over in the -- in the House.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

I don't know how it would affect him. It would be up to the loyal Republicans in Illinois to figure out what to do with Minority Leader Daniels.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I rise in support of this legislation. It is something -- we've always afforded each political party the opportunity to determine their own governance. Doesn't involve us, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Further discussion? If not, the question is, shall House Bill 953 pass. Those in favor will vote Aye. Opposed, Nay. The

voting is open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record, Madam Secretary. On
that question, there are 59 Ayes, no Nays, no Members voting
Present. House Bill 953, having received the required
constitutional majority, is declared passed. House Bill 1113.
Senator Robert Madigan. Out of the record. House Bill 1117.
Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1117.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Just a point of inquiry, Mr. President, before I begin. Can
the Secretary tell Senator Klemm and I whether we brought this
back yesterday for an amendment on a recall list?

ACTING SECRETARY HAWKER:

Yes, we did, for Amendment No. 2.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Then let's roll with this, since it's been amended, like
Senator Klemm suggested in committee. This legislation was
initiated at the request and it has been talked about ad nauseam
on a couple of occasions by the Local Government Committee, and
it's clean-up legislation that was initiated by the bond law firm
of Chapman and Cutler. It does numerous things, and I'd be happy

to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Is there discussion? If not, the -- the question is, shall House Bill 1117 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 1117, having received the required constitutional majority, is declared passed. House Bill 1134. Senator O'Malley. Senator O'Malley on the Floor? Senator O'Malley on the Floor? Out of the record. House Bill 1162. Senator Myers. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1162.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This bill

amends the Code of Criminal Procedure by providing that a writing or record that has been made during an investigation of an alleged offense or during an investigation relating to pending or anticipated litigation is admissible during a hearing to revoke a sentence of probation or conditional discharge of -- or an order of court supervision that is based on a technical violation of a sentencing order. There was an amendment, and the amendment provided that this exception only applies when the defendant or probationer has been transferred to another jurisdiction. I would be happy to answer questions, and I would ask for a positive vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- is there discussion? Is there discussion? If not, the question is, shall House Bill 1162 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 1162, having received the required constitutional majority, is declared passed. House Bill 1175. Senator Luechtefeld. Out of the record. House Bill 1177. Senator Syverson. Senator Syverson? Out of the

record. House Bill -- Senator Parker, for what purpose do you arise?

SENATOR PARKER:

I just wanted to make a correction on, also, House Bill 777. I meant to vote Yes and I voted No by mistake.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate your intent, Senator Parker. House Bill 1188. Senator Donahue. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1188.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. Ladies and Gentlemen of the Senate, I think this is a very important piece of legislation and what it does is basically what it says on the Calendar. It creates an address confidentiality for victims of domestic violence, and it's within the Attorney General's Office. And that's what it does, and I would ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1188 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 1188, having received the required constitutional majority, is declared passed. Bottom of page 8 is House Bill 1194. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1194.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is part of the Attorney General's Safe to Learn package. This is a bill that requires school personnel to take some immediate action if they know or have some -- some knowledge that a student may possess a firearm in a school. It requires that law enforcement be notified immediately, and for the first time, law enforcement is specifically authorized to intervene, to take the child -- the student into custody, to hold the child until the child has had a psychiatric evaluation to see whether or not the child or the student is a danger to himself or others. It's -- it's fairly tough stuff here, but we're in some tough times, and I

ask for your favorable consideration. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1194 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 1194, having received

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the required constitutional majority, is declared passed. Top of page 9. House Bill 1232. Senator Obama. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1232.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. As many of you know, we've been

working for quite some time to improve the child support collection system here in the State. One of the major problems that we have, in having a functioning child support system, is that of the eighty-eight million dollars that we collect in child support, we only actually distribute eight million of that to the children who are supposed to be the recipients of this child support. House Bill 1232 creates a Child Support Pays Program that essentially ensures that at least two-thirds of the money collected on a child support -- on the child support program actually gets passed through to the children. This is a bill that had strong bipartisan support over in the House. I've been pleased to have some strong bipartisan support in the Senate, as well. The Department has expressed some concerns with respect to costs and I suspect that Senator Rauschenberger will be asking some questions on it, but I think the key to remember on this issue is that it is impossible for us to expect child support to operate well if only one-tenth of the money that's collected actually goes to the children who need it. And so I would urge strong support for this bill and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to do a very brief explanation and make sure people understand what they're voting on. The State of Illinois got into the business of child support collection quite some time ago in an effort to recover the grants that we were paying people who were on our public aid program. The idea was that if we would set up child support collection mechanisms, if we could find fathers or noncustodial parents, we could recover some of the grant outlay that both the federal government and the State government had invested in supporting this family. Originally, the idea was thought that if you -- if you took a -- a modest amount of that sum, a pass-through amount, and gave it to the custodial parent, you'd get better cooperation in collecting child support enforcement. For quite a while, this system worked reasonably well. This was never designed to collect child support for the family. It was designed as a grant recovery program to help pay back both the federal and the State taxpayers. In activist legislation over the last few years, we've decided that since the Department of Public Aid was in the business of child support collection, we should open up this service across the board. And so now we offer as a -- as a public benefit, any custodial parent can approach the Department of Public Aid and ask them to help in collecting child support. This led to a huge increase in caseload and the chaos that we've all been fortunate enough in our district offices to experience. This bill does do, I think, something that's got some good ideas behind it, but it only goes half way.

This bill essentially says that we're going to take more of the grant recovery and pass it on through to the custodial parent, a very laudable goal. But if you do that and do not, at the same time, deal with the -- the chaos that's -- that's in that system today, the fact that you're already currently bearing almost

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sixteen million dollars of general revenue in a system that as little as three years ago was self-supporting, if you do not deal with the fact that custodial parents, at some level, either should seek private collection or pay a modest fee to help offset the cost to the taxpayers participating in this system, you're really headed down a road to chaos. In the very early discussions with the House people when they brought this idea to me -- you know, I really do think it's a good idea if we can help people get the resources to become more independent. So I'm not ideologically or philosophically opposed to the pass-through. What I do think we need to be aware is unless we get our House colleagues to participate with us in the fee half and the reform half, it'll never get done. Some of us who've negotiated with -- with enthusiastic House sponsors know that they're not always enthusiastic about the implementation of fees or basic system

reform. So I guess -- I tried a little bit to encourage the -- the fine Senate sponsor to maybe slow this bill down and see if we could open up discussions. He did point out that we are very late in Session, so I certainly don't blame him for bringing the bill forward. I would encourage people thoughtfully thinking about Present votes and induce the House, perhaps, to engage us in -- in reform of the system before we pass it over to the Attorney General's Office. Today a sixteen-million-dollar obligation of the general revenue is very soon to become a twenty-four-million-dollar obligation and our forecast in Appropriations show that it could rise to about a forty-million-dollar obligation to run this system over the next three years. So I'd ask people to be very thoughtful about this vote. I know it's not an easy No vote, but -- and I do appreciate the sponsor's willingness to -- to meet and discuss this with me.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Donahue.

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SENATOR DONAHUE:

Thank you very much, Mr. President. I, too, reluctantly rise in opposition to this. I have the utmost respect of the sponsor

here in the Senate, as well as in the House. But there are some things that you need to be very aware of as you vote on this bill, and, again, I would encourage a Present vote because of these. But, number one, we're in the discussions now of moving child support from Public Aid -- or, Public Aid to the Attorney General's Office. We know the confusion that's existing now in -- in child support, the collection of child support. It's going to be sort of a mammoth undertaking to move this and make it happen. Secondly, as Senator Rauschenberger just indicated, the cost of the trust fund - we're already subsidizing this trust fund. By increasing this, we're going to have to do it more. But I have probably something that I need to raise that we need to think about very, very carefully. Right now it is an option of the State of Illinois to do the pass-through of the fifty dollars. And if this passes, we very well could jeopardize that fifty-dollar payment to our TANF mothers or those that are on child support. And let me give you -- try to give you an example, if I can, of how this would operate. If a mother who is not working gets a hundred dollars in child support, she would get nothing under this legislation -- or, not this legislation, but she would get nothing if the pass-through is eliminated. If she's working, she'd get two-thirds of that hundred dollars. You're shaking your head. Let me ask a question to Senator Obama, and let you answer that, sir.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Obama.

SENATOR OBAMA:

The -- well, there -- there have been a range of statements made both by Senator Rauschenberger and Senator Donahue. Let --

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let me just take a couple in step. Number one, I appreciate Senator Rauschenberger's concerns...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator, just -- please just respond, at this point, to the question that was asked by...

SENATOR OBAMA:

Well, I had might light on when Senator Rauschenberger was making his statement, as well. But -- with -- with respect to the issue that Senator Donahue just raised about the fifty dollar, it is not true that this bill would eliminate that fifty-dollar pass-through. Well, I -- but I just -- I just want to -- that's what I was shaking my head about. I wanted to make -- make clear about this. What the Department has said is it's got fiscal concerns and it is not clear how it would end up paying for the two-thirds pass-through and has threatened to say, "Well, maybe what we'll do then is eliminate the fifty-dollar pass-through." That -- that is their statement during this lobbying against this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Senator...

SENATOR OBAMA:

But -- but I need to make a couple of points, Mr. President. The -- the -- number one, that's not what the bill mandates. Number two, and this is important to understand, the reason that this -- there is a fiscal impact at all in this situation is not because the State is actually subsidizing these folks. This is child support money coming from the noncustodial parent. The problem is, is that the federal government takes a certain portion of this money. And I recognize that the federal government has a dopey policy with respect to child support that creates a disincentive for noncustodial parents to want to pay their -- their child support through the system. But the -- it does not

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make sense for us, as a State, to engage and involve ourselves in a process where only one dollar out of every ten that's collected from a noncustodial parent ends up in the hands of a child. Now, part of the reason that I think this bill makes sense, and we can actually deal with some of the fiscal issues that are involved in toto over -- over the long term, is that it is a -- my strong estimation that, in fact, we will be able to increase child support collections - and this is a critical part of the piece of

the puzzle in improving our child support system - if noncustodial parents feels some confidence that when they turn over a hundred dollars, that some of that money is actually going to end up in the hands of the children as opposed to the federal government and bureaucrats in Springfield.

PRESIDING OFFICER: (SENATOR MAITLAND)

Let me just -- let me just remind everyone that when -- when a question is asked of the sponsor we must really contain our answer to the question. Then the rest of the debate can take place upon closing. Senator Donahue, to continue.

SENATOR DONAHUE:

Senator Obama, I couldn't agree more with what you're saying. I was appalled when I heard about the eighty-eight million dollars and how much -- receives, but you have to remember, we're not talking child support in the sense and I -- well, let me back up a minute. I agree that we've got to deal with getting fathers to -- to pay the money and get it to the parent -- or, to the kids. And I understand that. But this is complicated because of the federal government, too. We need their help in solving this problem and accomplishing what you're trying to do, but you're saying that all that money that's going to pay back the grants that we are giving in TANF monies, the green cards, all that -- Medicaid cards, whatever, those things, that's what we're paying for and that fifty-dollar pass-through is optional. And I didn't indicate

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that this bill took that away, but the consequences of this bill could dictate that, and that's why I said let's listen, let's be careful, let's look at a Present vote, because it's not something that we want to make happen. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. And I -- I don't want to belabor the point that Senator Donahue made, because this was a -- a difficult vote in -- in committee. But the point is -- is clear: This is a -- an appropriations problem. In the absence of any additional dollars for this program, what will happen is what Senator Donahue said: Low-income, nonworking mothers could potentially be cut off and losing their benefits, and there would be an increase of funding for those working mothers. Now, if the funding is put into the program, that would not happen, but we do not have any assurance that there's any funding for this. And so we need to be very careful, that what we pass could potentially hurt the most vulnerable of our population. Again, I -- I also want to commend the sponsor for the work and the patience he had in -- in trying to work with us on this piece of legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I rise in strong support of this legislation and with all due respect to my Republican colleagues who have spoken on this. We are -- the phrase that many people laugh at, "We're from the government and we're here to help," I think we need to make that true. I think there are certainly some concerns -- financial concerns among them. I certainly know children who have been adversely affected by deadbeats. I think we all do, and we need to be from the government and we need to

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help. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Years ago when we first started this program of helping mothers who were working, I was in on the original bill. And at that time, there was a lot of discussion that the only kinds of people we should help collect child support were those who were on public aid, and the reason we were going to help them was because it was a debt owed, not to the mother, but to the State of Illinois, because in lieu of the child support payments that were not being paid, we, in order to keep the mother

and child clothed and fed, gave them public aid in -- because they were not collecting the child support. We started this program of helping the mothers who were working and who were trying to do the right thing because of the fact that the fathers were coming into court and playing games. They would come in -- first of all, they wouldn't show up at the first request of the court. Then they might show the second time and they would say, "Well, we -- we dispute -- we don't have a lawyer." Then they would come in the third time with a lawyer and they'd say, "Well, we dispute the figures," and finally the judge would get sick and tired of it and say, "Look, you're five thousand dollars in arrearage. Pay her five hundred dollars right now, or go to jail. And then start making up the arrearage." They would start. They would be good for the first month. They might be good for the second month. Maybe they might be good for the third month, and then the whole procedure would start all over again. We pulled in the State's attorneys so that this kind of nonsense would stop. Is it a perfect system? No. It is not. But part of the problem is there are so many fathers out there that are not paying. My concern is that with your bill what is going to happen is we are going to get

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ourselves in another mess, because the -- the fathers are going to figure, "Oh, well, somebody's taking care of this family; somebody's paying. Why should I bother?" I understand that you're saying that you're going to take part -- more of the money that the fathers -- but they shouldn't be in that mess to begin with. They have allowed themselves to get in this mess because they have allowed the Public Aid Department to pay, when they should have been paying. It's partial payment back to the State and partial payment to the people who have the -- the -- who have been on public aid and were collecting money from the State. I -- I understand what you're trying to do. I don't think this bill will accomplish what you think and my concern is it's going to kind of gum up the works. We finally got the federal government to join us. They are paying the State's attorneys to collect this money. My concern is, we may lose that funding for the -- the local State's attorneys to collect that money. They get a percentage of -- of what they collect. And if you take some of that money away from them, I don't know that the State's attorneys in Cook County and DuPage County and all the other counties in the State are going to be real thrilled about doing this, because it does cost the counties money right now.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Lightford.

SENATOR LIGHTFORD:

I stand in strong support of this legislation. As I stand here and I listen to the debate of opposition, I find that there is a major misunderstanding of what this bill is, in fact, supposed to do. Our goal here, as legislators, is to help low-income families. I find that we have an opportunity to do

such, but there seems to be a total circle of reasoning that you're giving. Every -- it's almost like excuses to stand up for what's right. I rise in strong support, and I would encourage

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all of you to make -- make a strong position here, make a statement and say we support low-income families and we're helping move individuals from TANF and become working citizens. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Well, you know -- thank you, Mr. President. I've got some concerns, too, because it seems like our statistics about child support in Illinois is not maybe the highest that we should be having. I think it's almost obscene for fathers or mothers to abandon their children and not support those siblings that they were responsible for. It's kind of interesting and I'm always concerned when seventy-two percent of these noncustodial parents don't even pay, and that's why we're in this dilemma today. I think we need to do some legislation to maybe help encourage these people to make their payments that have been court-ordered,

besides what we're trying to do on this bill. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I just simply move the previous question.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Senator. There's one additional speaker. Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. I rise in support of this legislation that Senator Obama has. It -- there is a question. Of course, we did discuss this very carefully in the Public Health Committee, and obviously, for funding matters, that can be a concern. But the reality is that a father can pay the Department

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two hundred dollars; fifty dollars - only fifty dollars - goes back to the child. And that's been happening since the 1980s. Where is the incentive to make the change? And if anything, this legislation shakes up the process, forces a change, forces them to do something different rather than collect that money and not send

it on. And where is, also, the incentive for the father to pay the child support when hardly any of it - and like Senator Obama correctly said - ten percent in the overall is going to the child? I rise in support of this legislation. Obviously, on down the road, we will look at the funding and look at that, but I think that something needs to be done to make a change with this system.

PRESIDING OFFICER: (SENATOR MAITLAND)

And Senator Obama, to close.

SENATOR OBAMA:

Thank you very much, Mr. President. I appreciate the discussion. I -- I just want a -- a couple of facts that I want us to be clear about. Illinois ranks forty-eighth out of fifty states in spending on child support enforcement programs. Illinois is only one of four states that does not currently use State resources in terms of -- or -- or, has not used State funding to run the child support enforcement program. With respect to the notion that we may be eliminating the pass-through, keep in mind that we've got approximately a hundred million dollars in TANF funds that the -- as a consequence of declining welfare rolls. Part of that is because we're encouraging people to move off of welfare and into work. This program is specifically targeted at people who are working, so it provides noncustodial parents who are working an incentive. It provides -- to -- to pay into the system, and it hopefully will support the children who are the intended beneficiaries. So as a consequence, I think long term the financial impact of this, in fact, will be a net plus, as

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opposed to a net minus. I would simply ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1232 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 34 Ayes, 6 Nays, 18 Members voting Present. House Bill 1232, having received the required constitutional majority, is declared passed. House Bill 1234. Senator Tom Walsh. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 1234 is an agreement between the Associated Beer Distributors and the brewers. The compromise requires the distributor to make a prima facie showing

that just cause does not exist. Upon such showing, the burden of proof shifts to the brewer. There is also an amendment. It -- in the amendment, it removes the injunctive relief language and it makes other technical changes. This is an agreement. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the -- Senator Dillard.

SENATOR DILLARD:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Indicates he will yield, Senator Dillard.

SENATOR DILLARD:

Senator Walsh, is this the same type of Act that we are giving, I guess, to beer distributors that is the same type of Act that -- there are a couple of bills on 3rd Reading on the Calendar, one I know dealing with the soda pop industry and one dealing with - for lack of a better word - the hard liquor industry. Is this the same kind of Act already on the books for some industry like those two bills that are pending?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Tom Walsh.

SENATOR T. WALSH:

It's the same kind of Act. This is already on the books for the beer distributors.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

...you -- thank you. I -- I stand in support of this bill, but do want to remind the Membership that we have this Act already in place for, I guess, auto dealers, for the beer industry and later on, either today or tomorrow, Senator Philip and I will have legislation giving these types of safeguards to Illinoisans in a couple of other Acts. But I rise in support of Senator Walsh's bill and urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. My screen shows that Anheuser-Busch

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and Miller Brewing Company are in opposition to this legislation.
Has that changed, Tom? Are they still in opposition...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Tom Walsh.

SENATOR T. WALSH:

No -- no, they're not. This is an agreement between the --
the -- the distributors and the brewers, and they have gone
neutral on this now.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Walsh, to close.

SENATOR T. WALSH:

Just a -- just a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1234 pass. Those in favor
will vote Aye. Opposed, Nay. The voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who wish?
Take the record, Madam Secretary. On that question, there are 58
Ayes, no Nays, no Members voting Present. House Bill 1234, having
received the required constitutional majority, is declared passed.
House Bill 1252. Senator Tom Walsh. Out of the record. House
Bill 1261. Senator Watson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1261.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. You may recall, this bill was brought forth yesterday and Senator Lauzen had some questions about the legislation and we took it out of the record. And for all practical purposes, I believe his concerns and questions were

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answered. This is the one that will make the assessments of federally subsidized Section 515 rural rental housing facilities uniform throughout the State. Since the limited income restrictions significantly affect the market value, this bill directs local assessors to use the income approach in determining value, rather than a cost. This has been -- being done in many areas of the State, and this will just standardize those particular practices. And the argument for the net income approach has been won by -- at the local assessors level and -- and actually on appeal at the Illinois Property Tax Appeal Board.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1261 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 1261, having received the required constitutional majority, is declared passed. House Bill 1268. Senator Peterson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1268.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 1268 amends the State Occupation and Use Tax Acts to create an exemption for wholesale generators of electricity. Specifically, the exemption would apply to production-related tangible personal property and machinery and equipment, including repair and replacement parts, both new and used, and including those items manufactured on

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special order or purchased for lease, certified by the purchaser to be essential to and used in the integrated process of the

production of electricity by an eligible facility owned, operated or leased by an exempt wholesale generator. And Amendment 1 {sic} (2) adds a -- a ten-year sunset to this exemption. Ask for your support, House Bill 1268, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Peterson, how much will this exemption cost per year over the ten years?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

I believe in committee it was stated six million dollars per year.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Since we just deregulated the electricity industry, why are we going to, in effect, subsidizing the electrical industry by giving them an exemption for generating -- for generation purchases of equipment?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Senator, this doesn't apply to those who sell retail. This is only wholesale.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR PETERSON:

So wouldn't apply to ComEdison or any other major company.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, if we're offering them incentives then to come to Illinois, why don't we just do that through DCCA, because they are supposed to be our specialists in encouraging business to come to Illinois and creating jobs? Why don't we just let them handle this instead of expanding an exemption? At the same time, we're also talking about raising six hundred and twenty-one million dollars in taxes. We're raising six hundred and twenty-one million dollars with the left hand, and we're giving away six million dollars with the right hand to big business. I don't understand the correlation here.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Well, whatever the DCCA program would be, I'm certain there would be incentives there. This is very similar or identical to what the other states are offering these generators, and Illinois would like to be on par with the other states.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think maybe the Members would feel better if they would think about what's happened. In the deregulation of the electric industry, we've gone from a process where we essentially taxed a captive utility base that passed their taxes on to the ratepayers.

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So in effect, the ratepayers were essentially the same as the taxpayers. Now that we've entered a period of deregulation, we have the opportunity to have established wholesale producers. We have not had wholesale producers of electricity in the electrical industry in the past. Wholesale producers, under our tax codes, have always been exempt for the equipment they buy to manufacture

a wholesale product, because our tax -- our -- our retail tax is collected at retail. So it -- it seems like kind of a circular argument, but this is a good exemption. It makes a lot of sense. I would even argue that there's not really a six-million-dollar cost, because if we penalize those people willing to put wholesale generation facilities in the State of Illinois, many of them will locate at the borders in other states which treat it as wholesale because the electric grid -- the electric grid that delivers electricity is -- is like a large water main: You can locate your -- your source of production anywhere along it. So if we want to encourage this investment in Illinois and in this -- these jobs that will be created related to electrical generation at the wholesale level, I -- I think this is a good bill from all the work that I've been involved in, and I -- I think Senator Peterson's got a good one here. Please vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Mr. President. I just ask for an affirmative vote on House Bill 1268.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1268 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Yes, 10 voting No, 1 voting Present. House Bill 1268, having

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received the required constitutional majority, is declared passed.

Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's my pleasure to introduce someone who is well known to all of you here today, who brought in over a billion dollars in interest to the State Treasury's Office, none other than our very capable and able State Treasurer, Judy Baar Topinka, and our good friend.

PRESIDING OFFICER: (SENATOR WATSON)

Judy, we're glad to -- glad to have you back. Welcome. You're always welcome on the Senate Floor. We are in the middle of page 9. House Bills 3rd Reading. House Bill 1274. Senator Cronin. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1274 simply allows private institutions of higher education and cultural institutions to obtain working capital through financing or refinancing of their accounts receivable or otherwise. It's a -- it's a new mechanism. It gives them a little latitude. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the

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question is, shall House Bill 1274 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1274, having received the required constitutional majority, is declared passed. House Bill 1278. Senator Bowles. Is Evelyn Bowles on the Floor? Out of the record. House Bill 1281. Senator Sullivan. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1281.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 1281 deals with the issue of unclaimed property, which all of our constituents have. This bill represents agreed language between Governor Ryan, Treasurer Topinka and the Bureau of the Budget. Because we feel that the Treasurer's Office could better administer this program due to the nature of her office and the relationships that she's already established, it transfers to Banks and Real Estates and leaves intact with DFI the responsibilities for conduct of certain examinations toward the discovery of unclaimed property, preserves the rights of affected employees with the CMS Personnel Code, and recognizes and enforces existing collective bargaining agreements. This does represent agreed-upon language. Bankers, credit unions, all the -- and all the employee unions are in favor of this. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, are all of the employees who currently work in this program going to be transferred to the Treasurer's Office?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

What will be the amount of the budget increase to pay for these employees and any equipment necessary?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

It's a transfer over. So it's no more money -- no more State money included.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

The building that these employees are housed in, are those going to be -- is it -- are they going to be moved from that

building? Is that building going to become a State Treasurer's annex? How is that going to work?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

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They're -- they're going to another place in Springfield and that is all in process and ready to go.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

So when does the lease expire in the building we're currently renting, where the employees currently work? And how much is the lease on the new building that they're going to move into?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

It's month to month.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

What's the provision for notification of termination of the lease? Is it thirty days, or is there a additional time period?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

The lease has already expired. They're just going month to month. It's an agreement.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

How many employees are we talking about?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Sixty-two.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator -- O'Malley.

SENATOR O'MALLEY:

This is for purposes of establishing legislative intent. And Senator Sullivan and I have discussed it previously, and I'm specifically interested in the -- in the interagency agreement between DFI and the State Treasurer. It's my understanding that there -- that there will be an interagency agreement that has been worked out between DFI and the State Treasurer which will implement the transfer provisions of this legislation. Further, it is my understanding that the agreement will address the fiscal impact upon DFI by providing a minimum of 2.5-million-dollar appropriation to DFI for the State -- from the State Pensions Fund to help offset the Agency's loss of the unclaimed property division. Senator, can you help us, as a Body, understand the status of that agreement? And what assurances can be given that the funding to DFI would be included in future appropriation bills?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

I -- I have the -- that agreement in my hand. It has already been taken care of - interagency agreement between the DFI and the Treasurer's Office.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Sullivan, to -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I think this is a very good bill and I think that money should be under

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the care of the Treasurer who has done such -- such an outstanding job, and I urge a very favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Sullivan, to close.

SENATOR SULLIVAN:

In closing, I'd just like to commend the Treasurer and her staff, and DFI, and Banks and Real Estates for a lot of hard work in bringing many groups together on a -- diverse issue, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1281 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No, 1 voting Present. House Bill 1281, having received the required constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR GEO-KARIS:

In the Democrat gallery, but I'm not speaking for their politics, up there are -- is the Central Junior High from Zion, Illinois, my constituents, and I would like us all to welcome them here, with their teachers. Welcome.

PRESIDING OFFICER: (SENATOR WATSON)

Well, will our friends from Zion please -- please rise, and welcome to the Senate. We're glad to have you here. Welcome. Moving right along. House Bill 1304. Madam Secretary, please read the bill.

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ACTING SECRETARY HAWKER:

House Bill 1304.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This bill comes from Attorney General Jim Ryan and its purpose is to amend the Criminal Code by excluding the period during which a prosecution must be commenced, any period during which there is a proceeding or an appeal from a proceeding quashing or enforcing a Grand Jury subpoena. While there's no disagreement that persons who have been subpoenaed to appear before a Grand Jury should have the right to litigate the reasonableness of a subpoena or to assert any privileges that may excuse compliance with it, it should not be used as a weapon to run out the clock on the statute of limitations, and that's what this bill does. I'd be happy to answer any questions and appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. This subpoena -- does this have to be a subpoena strictly for the defendant?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR MOLARO:

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Because -- because here's the problem: If it covers third parties, we get into a problem where you have a defendant, the statute's running, and obviously we have statutes of limitations for a very valid person. So now a third party, not the defendant, is subpoenaed. Let's assume it's a complicated subpoena and that third party decides to fight or appeal that subpoena. That should, in no way, affect the defendant's ability to allow the statute to run. Why should the statute be tolled for the defendant if he had nothing to do with a third-party person appealing the subpoena?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Senator Molaro. I think you may know we amended this to say that if the State is the applier, the -- the statute stays like it is. I don't know. We have not addressed, quite frankly, a -- a third-party situation; although my guess is that is very limited and the goal of the Attorney General is so that the defense doesn't play games with appealing this type of proceeding to get around the statute of limitations.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Well, you know, I don't -- I don't know what that means: It's the -- it's the intent of the Attorney General. I -- I --

obviously when we look at the statutory language and a judge is faced with a motion to dismiss based on the statute of limitations, either an appeal for a third-party subpoena tolls the statute or it doesn't. The judge is not going to sit there and start looking at what the Attorney General -- the -- as far as I know, the clear language of the statute that's there says that if some third party goes up there, and -- now, let's get what I'm saying so we're clear here. There's a defendant, he's charged --

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you know, and they're -- they're investigating, he's not charged yet, and the statute's beginning to toll and they're supposed to bring a charge. They go subpoena certain records and a company decides to fight that just on general principle. The phone company, whatever it is, they're not going to turn it over. Why should that toll the statute against this defendant who's doing absolutely nothing to -- to thwart the prosecution? And so even if that company appeals it or that -- why should this toll the statute of the defendant? So if you're saying to me, Senator Dillard, that you don't want it to toll the statute, that could easily be done by you putting in language. Or do you want it to be that if a third party is appealing the subpoena, that it

should count against a defendant who has nothing to do with it?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Well, Senator Molaro, I'm not even sure that -- and maybe, I guess, there are certain circumstances where a third party could challenge these -- these types of rights, but it's not my intent that when an outside party slows it down to -- to hurt the defendant here, as long as they're not in cahoots with the defendant.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Okay. Well, the only problem is, the language is not in the bill. I mean -- I -- I heard what you just said, and -- and maybe it does make some sense to me, but unfortunately that's not the language in the bill. You know, I'm not going to stand here and tell anybody else what they should do. They -- read the language, but my point would be that if somehow this gets out of this Chamber today, and that's not your intention, if we could just

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look at it and sit with some people to see -- make sure exactly what we're voting on. Thanks.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. I'm -- I'm sorry that this objection wasn't raised in -- in committee, 'cause this was in front of committee twice. This bill is going to go back over with an amendment to the House, and, Senator Molaro, I'll be happy to work with you and Representative Jim Durkin and the Attorney General's Office to perhaps move this to a conference committee to put in the third-party language that you want. So I'd appreciate a favorable vote at this time. I'll work with my friend, Senator Molaro, to try to take care of his concerns in the final week of the Session, and it's a good bill. Vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate -- House Bill 1304 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, 1 voting Present. House Bill 1304, having received the required constitutional majority, is declared passed. House Bill 1317. Out of the record. House Bill 1318. Senator Luechtefeld. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. We'd like to

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keep this bill alive. There are discussions going on with the Governor's Office, the United Mine Workers and the coal industry to attempt to come up with some plan to keep a couple of the active coal mines still active. I think there -- there are some good discussions going on. If we just -- this simply puts a -- an immediate effective date, a technical amendment, on it, and pass it over, and would ask for your support, please.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1318 pass. All those in favor, vote Aye. Opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. House Bill 1318, having received the required constitutional majority, is declared passed. House Bill 1348. Senator Robert Madigan. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 1348, as amended, contains three provisions brought forth by the Department of Insurance with regards to administrative changes. And first of all, it establishes the Risk-Based Capital statutes for health maintenance organizations. Brings State statutes into compliance with federal statutes with regards to the Health Insurance Portability Act passed a couple years ago. And it streamlines the accounting practices of insurance along the NAIC

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codification model. I would be glad to answer any questions on House Bill 1348, as amended. I know of no opposition to the bill as presented.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

the question is, shall House Bill 1348 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1348, having received the required constitutional majority, is declared passed. House Bill 1392. Senator Bowles. Out of the record. House Bill 1464. Senator Dillard. Out of the record. House Bill -- Bill 1538. We're -- the top of page 10. House Bill 1538. Senator Larry Walsh. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President and Members of the Senate. As amended by Senate Amendment No. 1, House Bill 1538 declares that when making an initial determination or any redetermination for eligibility for community care services, the Department on Aging must make an assessment whether the applicant or the recipient of the community care services is -- is in need of an emergency response system. House Bill 1538 is supported by the Department on Aging, AARP and the Illinois Council of State {sic} and the City of Chicago. I know of no opposition and ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1538 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, 1 voting No, no voting Present. House Bill 1538, having received the required constitutional majority, is declared passed. House Bill 1580. Senator Maitland. Senator John Maitland on the Floor? Out of the record. Senate {sic} Bill 1581. Senator Robert Madigan. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 1581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. House Bill 1581, as amended, is a vehicle for continuing discussions, insofar as any pension legislation. I would ask approval so this can move

along in the process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall -- House Bill 1581 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. House Bill 1581, having received the required constitutional majority, is declared passed. Senate will stand at ease.

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(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will reconvene. Senator Silverstein, for what purpose do you seek recognition?

SENATOR SILVERSTEIN:

...on. Point of...

PRESIDING OFFICER: (SENATOR DONAHUE)

Now you are.

SENATOR SILVERSTEIN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point, sir.

SENATOR SILVERSTEIN:

Just like to welcome the -- on the Democratic side, the girls from Arie Crown Hebrew Day School with their principal -- Assistant Principal, Miss Robbins, and their teacher, Miss Sacco.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned: Referred to the Committee on Agriculture and Conservation - Senate Amendment 2 to House Bill 1825; to the Committee on Commerce and Industry - Senate Amendment 1 to House Bill 520, Amendment 2 to House Bill 658 and Amendment 4 to House Bill 1959; to the Committee on Education - Senate Amendment 2 to House Bill 1134; to the Committee on Executive - Senate Resolutions 121, 122, 129 and 130, Senate Joint Resolution 38, Senate Amendment 1 to House Bill 470, Amendment 1 to House Bill 606, Senate Amendment 2 to House

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Bill 1622, Amendment 1 to House Bill 1769, Amendment 2 to House Bill 2163 and Amendment 4 to House Bill 2230; to the Committee on Judiciary - Amendment 2 to House Bill 105, Amendments 2 and 3 to House Bill 526, Amendment 2 to House Bill 1278, and Amendment 3 to House Bill 1720; to the Committee on Licensed Activities - Amendment 6 to House Bill 619 and Amendment 2 to House Bill 1780; to the Committee on Local Government - Amendments 2 and 3 to House Bill 1841; referred to the Committee on Transportation - House Joint Resolution 17; and Be Approved for Consideration - Senate Amendment 1 to House Bill 63 and Amendment 3 to House Bill 2713.

PRESIDING OFFICER: (SENATOR DONAHUE)

We'll reconvene where we left off, at the middle and top page of -- middle and top of page 10, with House Bill 1598. Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President. Members of the Senate, House Bill 1598, as amended, is also another potential vehicle for future pension discussions. I would ask for its approval to move it along in the process.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there any discussion? Seeing none, the -- Senator -- the question is, shall House Bill 1598 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. House Bill 1598,

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having received the required constitutional majority, is declared passed. Senator Klemm, for what purpose do you seek recognition?

SENATOR KLEMM:

For the purposes of an announcement, Madam...

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR KLEMM:

The Senate Executive Committee will be meeting at 3 o'clock, or about an hour from now, in Room 212, for amendments. So Members of the Senate Executive Committee, please put it down, in one hour in 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Exec, 212, 1 o'clock. 3 o'clock. Okay. Next will be Senator Viverito, on House Bill 1617. Read the bill, Mr.

Secretary.

SECRETARY HARRY:

House Bill 1617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam President. As amended, Senate Amendment 1 on House Bill 1617 allows the Department of Public Health to suspend, revoke or refuse to renew the license of a nursing home if the facility has two or more substantiated complaints against it for the violations of certain sections of the Nursing Home Act, which pertains to the right of the residents who have visitors, from which the Department issues a notice of violation under the Nursing Home Care Act and for which accepted plan of correction was not adhered to. The bill is supported by AARP, the Illinois Council of State Senior Citizen Organizations, Illinois Senior

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Citizens for Better Care, the City of Chicago. I ask for a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1617 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1617, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR CLAYBORNE:

Behind me -- or, next to me, I have the Chief of the Midway Fire Department in Centreville, Illinois, Broderick Keith Hawkins, and I would like for him to be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Mr. Hawkins, welcome to Springfield. Senator -- Senator Parker, on House Bill 1622. Senator Cronin, on House Bill 1670. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay, Ladies and Gentlemen, let's get ourselves under control a little bit. Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. House Bill 1670, as amended, makes the alternative route to certification a statewide program. This is an agreement between the IEA and State Board and -- and some other interested parties; although, I have to tell you, there is one party that is not happy with it, and so we have an agreement to put this into a conference committee report, with the House sponsor. In any event, I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall -- House Bill 1670 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1670, having received the required constitutional majority, is declared passed. Senator Peterson, on House Bill 1695. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1695.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. House Bill 1695 is an initiative of the Illinois County Treasurer's Association. Upon the approval of the county board, the treasurer would be able to assess a fee of five dollars for each duplicate tax bill provided to a mortgage lender after the first tax bill has been mailed. It does not affect the homeowner. I guess there's been a deluge of requests from mortgage houses for duplicate bills, and this would give them the first bill free and any other bills there would be a charge of five dollars each. And it does not affect the individual

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homeowner. They would not be charged any fees at all for a duplicate tax bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1695 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1695, having received the required constitutional majority, is declared passed. Senator Thomas Walsh, on House Bill 1697. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President. House Bill 1697 amends the Insurance Code with respect to certain vehicles not used for business to exclude from the term "policy of automobile insurance" any policy, renewal, binder -- renewal policy, binder, or application for which the initial premium was paid by a check or credit card charges that are -- that are -- charges that are dishonored for payment. Now, we put two amendments on the bill. The first amendment said that a "payment, unless the check or credit card charge was dishonored through no fault of the payor", and this was to address some concerns of the Independent Insurers. The second amendment deletes renewal policies from the nonpayment of insurance policy coverage. This does not include renewal policies.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

And, Senator, I believe I heard the last portion of your comments, but this is designed in those cases where somebody comes in for an initial policy, gives a bad check, essentially knowing it's bad, and then gets -- walks away with a binder. And this is intended to resolve that. The second amendment clarifies - does it not? - that people who have long-standing policies, and maybe pay quarterly or monthly, or even annually, if that check happens to bounce, that will not affect the insurance. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Oh! Senator Thomas Walsh.

SENATOR T. WALSH:

Yes. It is.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Seeing none, Senator Walsh, to close.

SENATOR T. WALSH:

I'd just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 1697 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1697, having received the required constitutional majority, is declared passed. Senator Petka, on House Bill 1700. Senator Radogno, on House Bill 1713. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 1713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Members of the Senate. House Bill 1713 will increase the Medicaid eligibility for seniors and disabled to one hundred percent of the federal poverty level from the astonishingly low forty-three percent that it currently is.

This phase-in occurs over two years. It goes to seventy-seven percent next year and then a hundred percent the following year. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1713 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all -- take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1713, having received the required constitutional majority, is declared passed. Senator Silverstein, on House Bill 1769. Senator Silverstein on the Floor? Senator Silverstein. House Bill 1774. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1774.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. This bill amends the Marriage and Dissolution of Marriage Act. It provides that notice of attachment of the body of an obligor, in a proceeding to enforce an order for support, may be served on the respondent by personal service or by regular mail addressed to the respondent's last known address. This is a request from the DuPage County State's Attorney. One of the biggest problems in getting -- in enforcement orders is that people don't, you know, send back the notice that they got the certified mail, et cetera. So this is -- this is to make it easier to serve these people. And in the committee, I know the State -- State -- Illinois State Bar was there, had slight opposition or wanted some changes in the bill. They were going to work on an amendment. For those of you in committee, you may remember that. They did not get back to me in time, and they've told me they've now removed their objections.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 1774 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1774, having received the required constitutional majority, is declared passed. Senator Emil Jones, on House Bill 1778. Senator Emil Jones. Senator Burzynski, on House Bill 1780. Senator Sieben, on House Bill 1805. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben. Senator Sieben.

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SENATOR SIEBEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this does create the Auction License Act to regulate auctioneers and auction firms through licensure requirements. The language contains requirements for licensure of all auctioneers and contains provisions for the grandfathering of auctioneers who have verification of auctioning in the State for at least two years prior to the effective date of this Act and they have conducted a minimum of five auctions or real -- or {sic} (of) real or personal property within two years prior to the effective date. Represents an agreement between the Realtors, the Auctioneers' Association, the auto auctioneers, the livestock market auctioneers. And I think we -- in the committee, we addressed the concerns of a group from Jacksonville, Illinois, that had a few specific concerns, and I think we've worked those out to just about everybody's

satisfaction. Be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Donahue. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield.

SENATOR HAWKINSON:

Senator, does this, in any way, affect charities that, for example, may have a -- a charitable auction? Does this, in any way, require them to have licensed auctioneers, as opposed to somebody from the congregation or the charity?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

It does not. They are exempt.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

How about real estate sales where there's been an estate or something? You traditionally see the sale at the courthouse, maybe just the estate's attorney handling the estate. Are those affected in any way?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

...that was going -- if the sale was going to be handled on a -- an open bid, competitive bid basis, then I think that would be regulated by this Act. If you're going to take -- take bids and -- and solicit bids, that's what requires a licensed auctioneer to handle that kind of a bid.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Has the Illinois State Bar Association taken a position on this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator -- Senator Sieben.

SENATOR SIEBEN:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Yes, Mr. President. Senator Sieben, being a cosponsor of this bill, I'm for this, but I'm -- I'm -- the city portion of this bill, can you give us a little example of what an auctioneer might do?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Sieben.

SENATOR SIEBEN:

Well, I think an auctioneer would present an item to the audience that's there, and -- and ask if they would give him bids on it, and he'd start out with a quarter, half, seventy-five, dollar bid. Now get it on in, now bid and buy, get it on in, a quarter, half, seventy-five, dollar bid. I got a thirty-dollar bid. I need thirty votes to pass. So I'm going to ask you in a few minutes for thirty votes to pass this bill. And if I get thirty, thirty-one. Would you give me thirty? Would you give me thirty? Now thirty-five and a half, quarter, seventy-five, dollar bid, I get a bid to go. And we'll get a bid to go, and hopefully we'll pass the bid. Well, that's what an auctioneer does.

PRESIDING OFFICER: (SENATOR WATSON)

Transcribe that one. Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Did the Realtors remove their opposition to the bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes, they did. In fact, we've worked cooperatively with the Realtors because of the rewrite of the Realtors Act that takes effect. We've worked closely with them and they are in strong support of the legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

There's -- is there a provision in the bill that says if a

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person's under age eighteen, they can hold -- handle the auction if the merchandise has a value less than two hundred and fifty dollars? Is that in the bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. That was added in the amendment that we put on after the committee hearing, at the request of some of the opponents at the

bill at that time, that want to bring their son or daughter that may want to help work a sale. And we agreed that under the supervision of a licensed auctioneer, that a minor, someone under the age of eighteen, could sell -- could call the sale on an item for less than two hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, if it's an auction, how do you know how much the final bid is going to be? What if the final bid is two hundred and sixty dollars? Then does the eighteen-year-old have to leave the building when it gets above two-fifty? I mean, how -- how do you know in advance the value of the property if it's a free and open auction?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben. Senator Sieben.

SENATOR SIEBEN:

I -- I think, as a practical matter, the supervising auctioneer would have to make a decision at the time that, say, an item off the hayrack was going to be sold, that it was less than two hundred and fifty. If, during the bidding process, somebody determined that this had a higher value, my sense is, as a practical matter, the supervising auctioneer would then have to start taking the bids once it went to two hundred and fifty-one

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dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Is Senator Noland going to have a medallion issued if this bill passes and is signed into law?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, to answer that question, Senator Noland, I'll speak to him: I'm sure he will. I'd like to ask the Senator a question, if I might. I notice in the analysis here that we have created an Advisory Board and we have -- of seven members, appointed by the Commissioner, and we have also provided them with a per diem stipend for each member, and we have established a Director of Auction Regulation. Establishes the Office of Director of Auction Regulation to be appointed by the Commissioner, and is there an appropriation bill that's trailing this bill now to provide for all of this -- these new staff employees and paid people that we are now adding?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

No. I -- I do not believe that we have an appropriation bill

tied to this piece of legislation. This has been under development with the Office of Banks and Real Estate. They're going to have to work this out in their budget, and they may have to come for a request -- a request for a supplemental if they're not able to cover this cost out of their next fiscal year's budget.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

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SENATOR DEMUZIO:

Fees that are being established under this now, I guess, apparently will be paid into the Auction Regulation (Administration) Fund of some sort, and is that the mechanism then that will be used to pay for the staff and for the stipends of the Advisory Board?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. That is the intent of the use of the fees that are collected.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

And the fees, we don't know what they're going to be, but they're going to be promulgated, I guess, by the Commissioner's office and filed with the Joint Committee in order to make some determination as to how much money the -- the registration is going to be. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. That's my understanding, that these will be established by rule subject to review by JCAR.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

...could just tell me, what was the amendment that was adopted? Was there one amendment adopted after committee on the -- after the bill originally cleared committee, and if so, what was contained in that amendment?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Sieben.

SENATOR SIEBEN:

Yes. That's correct, Senator Demuzio. The -- after the committee hearing, the bill was moved out, held on 2nd, we drafted an amendment and that -- that Floor amendment contained four provisions at the request of the Members of the committee. The initial provision made the Act apply to all types of auctions, primarily so that we could pick up and include Internet auctions. Secondly, we exempted livestock auctions and auctioneers, because they're covered under the pack yard -- Packers and Stockyards Act, regulated under another Act. We provided for the person under the age of eighteen being authorized to sell an item under direct supervision up to two-fifty. And the fourth provision provided for the application, in certain situations, of oral contracts, as well as written contracts.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, then I -- then, for clarification then, livestock is out of this thing because they're regulated by some other thing. We're just talking about tangible items, such as personal property, estate auctions, things of that nature. Is -- is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. It would apply to sales of land, sales of homes, sales of -- of personal property from those homes, estate sales. The livestock - they're regulated and registered as a market agency

under the federal Packers and Stockyards Act and under the Livestock Auction Market Law. So they're regulated in two places.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Demuzio.

SENATOR DEMUZIO:

And who have we grandfathered in here? Anybody?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes. We have grandfathered in auctioneers who demonstrate that in the last two years, they have conducted at least -- I believe it's five sales. So we're not -- we're not putting anybody out of business with this law.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, a question, and that is, that if someone who's an eighteen-year-old, who works with their father in a livestock operation -- auction, they would still be required, at some point, to take a test in order to qualify for their own -- their own

auctioneer's license, providing that they're selling tangible items that we've just talked about?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

There is a category in -- in the bill that describes an associate auctioneer, with some different requirements for the person to become an associate auctioneer, but once that child who wants to run an auction becomes age eighteen, then they're going to be subject to the provisions of taking the test, et cetera, as you described.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Sieben, to close.

SENATOR SIEBEN:

Well, I'm just going to ask you again, if you'd give me thirty

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votes on this, I think we can get this sold. We need thirty votes. Thirty votes to go. Give me, would you give me thirty votes, would you give me thirty votes and a quarter, half, seventy-five, let her go.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1805 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sold, American. On that question, there are 58 voting Yes, no voting No, no voting Present. House Bill 1805, having received the required constitutional majority, is declared passed. House Bill 1812. Senator Lauzen? Madam -- Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. House Bill 1812, as amended, requires local school boards to provide public access computers, as best they can -- either to equip the computers with software that seeks to prevent minors from gaining access to explicit sexual material or obtain Internet -- or, connectivity from an Internet service provider that provides filter services.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Let's bring our discussions to a close. Senator Berman.

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SENATOR BERMAN:

Thank you. This is a bill that sounds very good, except I would suggest to you that, for several reasons, it doesn't make sense for us to pass this bill. Number one, it calls for a mandate by us and the State Board of Education to every school district in the State to do what almost every school district, if not every school district, is already doing. And what are they doing? They have adopted programs and policies to protect their children from bad information, obnoxious information, sexually explicit information on the Internet. Every school district is doing that already. But this bill says that "we" ought to do it. Now, voting for this bill, you could probably issue a press release and say that you're safeguarding our children, but that's not true. The screening process that this bill calls for doesn't work very well, number one. Number two, it requires that there be staff to make sure that the screening process to protect the children is working well. When we pass this bill, we are telling every local school district that this is a State mandate. What does that mean? It means (a) we haven't appropriated any money for this, so they don't have to do it; number two, if they do do it, we have to pick up the tab. So we're talking about passing a

bill to do what school districts already are doing, number one; and number two, that we're going to have to pick up the tab for the computer networking regarding the screening, which we shouldn't have to pay for - that should be a local expenditure; and three, to pay for the staff that's going to have to monitor all of this. In addition, and I don't use this as the strongest argument, there is some -- certainly questions as to whether this is practically or constitutionally appropriate. For -- for example, there's -- could be an argument made, and the ACLU was one of the groups that opposed this bill, that such as the Illinois Department of Public Health's web site could be blocked

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because it contains information on sexually transmitted diseases and teen pregnancy. Should it be shown, or should it not be shown? Should the State Board be the -- the -- the agency that determines what each local school board wants our children to see? The Department of Human Services has a web site that, under this mandate, could be blocked because it contains information on sexual assault prevention, the dangers of marijuana use, and a program which is designated to prevent teen pregnancy. Now, wouldn't we want, certainly, our high school students to have this

information? Well, maybe it would be blocked by the mandate of the State Board to the local school district. I suggest to you that financially this doesn't make sense and policywise this doesn't make sense. Every school board that you and I and our voters elect is doing this already. It's not necessary for us to vote Yes. I urge a No or Present vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Well, unfortunately, I -- I wish we had time to rebut each one of those arguments, which none make any sense. If every district is doing this, why would there be a cost to enforcing what's being done? There is no proof that every district is doing this. We're talking about a simple screening process. If anyone understands computers and networks, you can go in there right now, you can go onto America OnLine right now, take thirty seconds to go in there and push a simple button that says "no information", "no E-mail", "for adults". And when you push that button, when anything comes up that's going to be offensive, it's going to say "for eighteen years old or older". It's an easy way to block it. In light of what's been going on, I think it's important, with kids having computer labs and being on their own in these computer labs, that we have this kind of protection that we have in there. And it's

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unfortunate that the ACLU would oppose that, but certainly does not surprise me that they would oppose it. This is important for our children, and I would certainly urge a strong Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you -- thank you, Mr. President. Previous speaker just talked about how it would work on the Internet, and I guess that's the question I wanted to ask the sponsor more than the previous speaker. But, it was stated that all you would have to do, then, is you type in something or some code and say what's -- if something comes up offensive, then it would not be allowed on. Well, how -- how would you do that, because apparently you'd have to buy some type of program that would do that? Most of 'em, if I -- I'll be corrected if I'm wrong -- you type in keyword words, such as sex or other words like that, that would then become the block. Now, obviously -- I guess I'm asking a question. What type -- does -- the bill talks about -- what type of blocking software are you talking about using and who determines that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

There are many -- many questions in there, but I'll try to answer the last one first. As far as who makes up that determination, it is not -- it is not as Senator Berman had said, that the State Board or someone from the State, but rather the

local school board. This would be the local school board. Another part of the question that you were asking: Is it by keyword or some other method? In the past -- and there are some of these filtering programs that work that way - and I'm not going to pretend to be any software expert; I'm sure that Senator Syverson knows a lot more about it than -- than I do - but that's

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what the local school board can determine. But other than the keyword, there's a way -- there's some Internet software and filtering companies that go by site, by... What they do is they actually go through and -- and I understand, from checking with a business that does this, most Internet filter servers block by address now, not by word, after having visually looked at the site for the content, thus reducing the chance that a good site would be blocked. Perhaps that addresses some of the concerns of earlier speakers.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

It -- it does address some of the concerns, because wanted to make sure that if you put in a block that uses -- sometimes you

can block by word "sex", then you couldn't even get to the sexual offender statute. So -- because the word "sex" is already in there. The other thing I guess I would want to ask: According to this, would we -- would we or wouldn't we have a different standard for second graders, eighth graders, seniors in high school? And who would determine that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

The answer to that question is the people who are serving on the local school board.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Recently I had a group of -- of parents and PTA members that came to me, down here in fact - they made the trip all the way down here - and -- and the main thing that they were concerned about was exactly what this bill will solve.

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Apparently, some of the kids in the school wanted to play with the computer and what they were looking for on research was not

exactly what the subject being taught was. So they came and -- the parents came and asked me if we couldn't pass a State law requiring this. Well, we had a similar -- question brought up in the Appropriation Committee, and the State Board of Education said we really should have this done locally, for a couple of reasons. Number one, it should be a local decision on what is cut out. But even more important is that the State Board of Education would find it almost impossible to do this. There are so many different computers out there. There are so many programs that are being taught. The -- the computers are constantly being changed. The only one who would be able to do this in a satisfactory manner would be your local school boards. It should be a local decision what the locals should be allowed to see and do. I have a computer at home. I've caught -- taught my -- I -- I've caught my fourteen-year-old grandson looking at a couple of things that I wasn't too happy with. It's there. They're a lot smarter than we are, as far as these computers are concerned. I think this is a very good idea.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Lauzen, to close.

SENATOR LAUZEN:

Thank you, Mr. President. I'd like to read for legislative intent: Numerous public schools have access to the Internet or online computer services, and eventually, all public schools will have such access. Students who use a school's Internet or online computer service would thereby have access to pornographic material that is obscene, child pornography or harmful to minors. I believe that the State of Illinois recognizes the goal of

providing free access to educationally suitable information sources on the Internet and the compelling need to balance this

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goal with the duty to protect students from contact with sexual predators and access to materials that -- material that is obscene, child pornography or otherwise harmful to minor students and the State of Illinois is responsible, along with local school boards for the governance and policy of the public schools as well as the education and well-being of the students within those schools. Thus, the State has a compelling interest and duty, under both federal and State law, to protect school students from such exposure. The State and local school boards have broad discretion and management of school affairs, including the significant discretion to determine the content in their schools and exclude material that is educationally unsuitable and to exclude such material, without violating constitutional rights as noted under the U.S. Supreme Court's 1982 decision in *The Board of Education versus Pico*, through the use of filtering software on all interactive school computers that will block access to such material. In furtherance of the State's compelling interest, there can be no question that the action to restrict access to or

availability of such objectionable material as -- has been taken in good faith, as noted under federal law 47 U.S.C. Section 230. With this legislative intent in mind, I ask your support of House Bill 1812, as amended.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall House Bill 1812 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Yes, 18 voting No, 3 voting Present. House Bill 1812, having received the required constitutional majority, is declared passed. House Bill 1816. Senator Petka. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1816.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. House

Bill 1816 would amend the Illinois School Students Record {sic} (Student Records) Act to allow school student records to be disseminated to a SHOCAP, which is an acronym for Serious Habitual Offender Comprehensive Action Program, for the purpose of identifying and matching serious habitual juvenile offenders with community resources, pursuant to Section 5-145 of the Juvenile Court Act of 1987. This simply places another category in the Act by which certain juvenile records may be released. There has been criticism and -- and some complaints that have arisen in times past when school officials were simply unaware that they had in their midst a person who is a serious habitual juvenile offender. What this Act seeks to do is to remedy that situation.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1816 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. House Bill 1816, having received the required constitutional majority, is declared passed. House Bill 1832. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1832.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Currently, in Illinois, with -- under our Medicaid population, we have forty-three percent of pregnant women, at one time or another, smoke during pregnancy, which is twice the normal population level. With that increased concern and the results of smoking during pregnancy leading to the risk of miscarriage, stillbirth and sudden death syndrome, this legislation steps up and -- and adds prescription smoking cessation coverage to the Medicaid current law. Be happy to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1832 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 -- there's 58 voting Yes, no voting No, no voting Present. House Bill 1832, having received the required constitutional majority, is declared passed. House Bill 1841. Senator Dillard. Out of the record. House Bill 1860. Senator Bomke. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1860.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 1860 is -- House Bill 1860 is a bill that I had before the Senate a week ago and took it out of the record for some clarification, but what it does, it requires a court reporter to keep

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stenographic notes or transcribes {sic} (transcripts), including paper or electronic media, for a period of five years. We amended it to include five years after the end of litigation. And be happy to address any questions, and if there are none, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1860 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 -- 58 voting Yes, no

voting No, no voting Present. House Bill 1860, having received the required constitutional majority, is declared passed. House Bill 1863. Senator Luechtefeld. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1863.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. House Bill 1863 amends the Mental Health and Developmental Disabilities Administrative Act by making changes to the Chester Mental Health Center Section. This bill allows the Chester facility director to authorize the temporary use of handcuffs on an individual when necessary in the course of the movement within the facility. We've -- we had originally had some problems with the advocacy groups with regard to the use of handcuffs at the Chester facility. Amendment -- and an agreement was reached with -- with those groups, and I really don't think there's a -- any opposition

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to this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall House Bill 1863 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1863, having received the required constitutional majority, is declared passed. House Bill 1869. Out of the record. House Bill 1897. Senator Donahue. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1897.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is really a very important piece of legislation because of the need. Our agriculture community is having some pretty difficult times, and we always talk about value-added and how important value-added can be to our individual producers and what have you and that's what this bill does. It allows the Department of Agriculture to administer a Value-Added Agriculture Enhancement Program. It would allow fifty percent of the cost to be matched, if you will, provided by the Department and the other

fifty percent coming from the entity in which the grant would be going to. And I think it's important -- when it came over to the Senate, it was a little bit too broad. We wanted to tighten it up, most specifically for small businesses, small companies, not the Continentals, not the ADMs of this world. We wanted it for

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small cooperatives and small groups. So it's limited to small businesses under five hundred employees or less and excludes - and I would emphasize this - excludes livestock production. So I'd ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1897 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1897, having received the required constitutional majority, is declared passed. Mr. Secretary, House Bill 1926. Please read the bill.

SECRETARY HARRY:

House Bill 1926.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1926 allows the Illinois Housing Development Authority to provide advisory, consultive training, educational services that will assist nonprofit corporations, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1926 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 1926, having received

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the required constitutional majority, is declared passed. House Bill 1935. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1935 amends the Clerks of the Court Act, requiring every clerk to post a bond in the amount of one percent of the total fees collected by the clerk during the previous fiscal year or one million dollars, whichever is less. It is proposed by the Clerks' Association. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1935 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. House Bill 1935, having received the required constitutional majority, is declared passed. House Bill 1966. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1966.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Members of the Senate.

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House Bill 1966 would provide that no State's attorney may engage in private practice of law as of December 1st, the year 2000, which just happens to be when the -- after the next election of State's attorneys in every county in the State of Illinois. And that all State's attorneys in any county having a population under thirty thousand would receive the same salary as State's attorneys having a population between twenty thousand and thirty thousand. This also would take away the exemption that certain counties now have that would -- that permitted State's attorneys to have a private practice. The net effect of this law is that we would have two separate -- salary scales: one for State's attorneys above thirty thousand; one for State's attorneys below thirty thousand. They would all have to be engaged in full-time practice of law, and, additionally, this would square up with a finding made by the Compensation Review Board which, in essence, gave full-time salaries to part-time State's attorneys. Mr. President, I -- I move for this bill's adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1966 pass. All those in favor,

vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 voting Yes, 13 voting No, 1 voting Present. House Bill 1966, having received the required constitutional majority, is declared passed. House -- top of page 12, Mr. Secretary, is House Bill 1978. Please read the bill.

SECRETARY HARRY:

House Bill 1978.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 1978, as amended, provides that whenever a county or a municipality has obtained a lien in regard to the demolition, repair or enclosure of a dangerous, unsafe, uncompleted or abandoned building, it allows the county or municipality to also bring action for a money judgment for its expenditures against the owner or owners of the

real estate in the amount to the extent of the lien and in the same manner as for cause of action for other money judgments. Be glad to respond to any questions and solicit an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, can't they do that today?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

I don't know the answer to your question, but, apparently, this came from Representative Doug Scott, from -- I think it's Peoria. Okay. And that's -- that's where this came from. I'm not aware that -- that there was any problem, but I know the...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Who do they...

SENATOR BERMAN:

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But let me...

SENATOR HAWKINSON:

Who do they take -- who do they file suit at today, after they do the -- the cleanup and -- I know there's a process today where they can go in, declare the property unsafe and so forth and demolish it, and they can go -- they can recover their costs. I'm wondering what the difference is between today's procedure and what is established in this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

As I read our analysis, the difference is that today the county board of each county may -- must approve the city moving forward on this. This -- this -- this bill would allow the city to move without having to go to the county board for the approval.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

And I'm only guess -- speculating here, but my guess is home rule can already do it, and since this comes from Rockford, which is no longer home rule, that's probably what creates the -- the need for this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Sorry about that. According to our analysis, this says basically this cuts the current process from four years to two years. It's the last line on the analysis.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Berman, to close.

SENATOR BERMAN:

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Sounds good to me.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 1978 pass. All those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. House Bill 1978, having received the required constitutional majority, is declared passed. House Bill 2005. Senator Trotter? Senator Trotter on the Floor? Senator Trotter? Out of the record. House Bill 2008. Senator Cronin? Mr. Secretary, please read the bill. Senator Cronin asks the Body leave to return Senate {sic} Bill 2008 to the Order of

2nd Reading for the purpose of an amendment. Leave is granted.
On the Order of 2nd Reading is House Bill 2008. Mr. Secretary,
are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Cronin and Lightford.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of
the Senate. This amendment rewrites the bill to closely reflect
an existing Act, and it specifically authorizes this Authority,
the 25th Avenue Railroad Relocation and Development Authority,
which impacts an area of the district I represent, as well as the
district that Senator Lightford represents, and it authorizes this
Authority to borrow money, sell bonds, but explicitly prohibits
the Authority from any levy for property taxes or for any purpose
whatsoever. So I ask for your favorable consideration?

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,
all those in favor, vote -- say Aye. Opposed, Nay. The Ayes have

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it, and the amendment's adopted. 3rd Reading. House Bill 2023.

Senator Molaro? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2023.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a Chicago bill only. We've had some -- couple of problems in the past where we built our schools on unsafe ground. All this would require that a Phase I study be done before we wind up building any schools. When we represent clients, even if we're going to build a grocery store or some small thing, we look for a Phase I study. If you have a good attorney and you're buying it, he'll ask the seller for one. I think we should at least ask the same when we build one of our schools, and that's basically what the bill requires.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2023 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting no, no voting Present. House Bill 2023, having received the required constitutional majority, is declared passed. House Bill 2031. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2031.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. Speaker -- Mr. President, Members of the Senate. House Bill 2031 creates a diesel emission testing program. As you may be aware, the State of Illinois has had standards in place for diesel emission since 1992, but there has not been any enforcement. This bill, which has been amended since it's come over from the House, creates a program -- thank you. This bill, which has been amended since it came over from the House, will create a program to test the diesel emissions of diesel-powered vehicles that are over two years old, over sixteen thousand pounds and that are registered in the affected areas, which are basically the State's two nonattainment areas, meaning the six-county Chicago metro area and the East St. Louis metro area. These vehicles will be tested annually by an IDOT-certified facility. If they don't comply, they'll have thirty days to fix

the vehicle and get a retest or the vehicle's put out of service. The penalty for driving an out-of-service vehicle is a petty offense, punishable by a one-thousand-dollar fine. I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Fawell.

SENATOR FAWELL:

We are going to have a certain amount of money that is State money that's going to have to be spent. Do you have any idea where that State money will be coming from?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Radogno.

SENATOR RADOGNO:

Apparently, we have a fiscal estimate of 1.7 million dollars; however, as I understand it, most of these testing stations can charge a fee for the test.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Well, you know, in 1991, the feds came and asked -- and told diesel trucks they had to start cleaning up their act and, therefore, every diesel truck that was manufactured after 1991 has already got all kinds of filters on it. It's got a cleaner engine, similar to our cars. We are going to again spend money to test for emissions that I was told, for the last twelve years by the -- our EPA, "Don't do anything to anybody." Now, I know the Lung Association has come running down here and told us that this is causing all kinds of problems. Well, let me clue you in: I went to a meeting last year and they were appearing in front of the USEPA, and they said the reason children have asthma is because people are cutting their lawns and using charcoal burners, and we think we should stop all this and everybody ought to get a hand lawn mower and cut their own lawn with a hand lawn mower, like we used to do as kids. I am telling you, the problem with this bill and the reason this bill is on the Floor is because the Lung Association, which used to be the old TB Association, collected a hundred and twenty-five million dollars last year, according to The Wall Street Journal, and as the The Wall Street Journal said, they're looking for a reason to be in existence. Their reason right now is it -- since they didn't succeed with lawn mowers and charcoal burners, that it's got to be diesel trucks. We are spending fifty-eight million dollars of road funds right now testing cars. Here we go again, boys: Somebody's got to pay for

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this emission testing equipment. The emission testing equipment - and I've seen it and it's ridiculous, 'cause they dangle these things over the stacks - are going to cost somewhere between four hundred to three thousand dollars per piece of equipment. And let me also inform you, this includes your CTA buses. CTA buses are going to have to be tested because they're over sixteen thousand pounds and they are diesel buses. Now, they can be tested in shop, as can our municipality equipment be tested in shop. I understand that. We still have to buy the equipment. Who do you think's going to buy it? It's going to be us again. Why do we start these things? We started this stupid emissions testing for the autos fifteen years ago. We were promised once we got into -- into compliance, we would no longer have to do this. My county's been in compliance for five years. Chicago's been in compliance for three, including the year that everybody dropped dead because it was so hot out, and we're still testing these stupid cars, only now we're doing it so that the cars are being wrecked in the process. Let's not start another bureaucracy. Let's not start this over again. Kill this bill. We killed it in the -- in the Transportation -- Transportation Committee in the Senate version. Kill the House version. Don't do this again.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Mr. President, I'm not sure where Senator Fawell stands on this bill. Could she more clarify -- after that, I would like to move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Previous question has been moved. We have three additional speakers. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

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I started off being in the position you're -- you're in, the previous speaker mentioned, but I think that Senator Radogno has done a -- a great job of getting this bill down to where it's at least reasonable. She's made a lot of exemptions. She has taken care of the random testing, which was one of our big problems, so that a truck coming with grain to one of these attainment areas is not going to be bothered. I just think she has made tremendous progress on this, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. A few years ago, I cosponsored a bill here in the Senate that dealt with emission testing of automobiles and what it said was that, your newer cars, you didn't have to test. And the fellow who came up with that idea, who was my cosponsor on that bill, was Senator Pate Philip, the famous Philip-Welch bill, that all of you know well. I think that was the only Philip-Welch bill that ever passed the -- the Senate. Well, let me just say, it's interesting that we're quoting The Wall Street Journal on what's good for the environment. Now, if we've got the Lung Association saying it's good for the environment and The Wall Street Journal saying it's bad for the environment, I think I'd believe the Lung Association as to what's best for the State of Illinois. I think that they are probably going to be more rational, not inclined towards one hundred percent business-at-all-cost theory. And it seems to me that this is a good bill. It's about time we tested these trucks. Every one of us has been behind a truck and found them gassing us out when you're stopped behind one of 'em, and it's time that these trucks had to do the same thing that automobiles have to do in the State of Illinois. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? And the last speaker is Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Yes, Senator Radogno, can you tell me who is opposed to this bill at the present time?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Senator Fawell. According to our analysis, the Farm Bureau, Roadway Express, Roberson Transportation Company, Chicago Trucking Association and Yellow Freight.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, the list I have on my computer, as far as that goes, is the Farm Bureau, Illinois Municipal League, Illinois Statewide School of Management {sic} (Management Alliance), Illinois Press Association. Has their -- I mean, there's a cast of thousands here. Has some of their opposition been removed with some of your amendments?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Yes, it has. There was a -- a very large issue when this bill came over from the House, and that was the random testing, which would have subjected these vehicles that were not registered in this area but drove through the area to be tested. That's been

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removed. So it only applies to those vehicles that are actually registered in the area and operate within the -- the affected areas. So it has exempted -- that certainly was a large part of the Farm Bureau's concern. They were concerned about their trucks that may have to go to grain elevators. Although it has not removed their opposition, that was their primary concern.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is -- I beg your pardon. Senator Radogno, to close.

SENATOR RADOGNO:

Thank you very much. I -- I believe that many of us that live in the nonattainment areas would have a difficult time arguing that we shouldn't try to improve our air quality. We are forced to take our cars for emission testing. This just brings some parity

to that situation. We've tried very hard to address the concerns of many of those that were opposed, and, in fact, some of -- many of them have come along. I think this makes a lot of sense, and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 2031 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Yes, 16 voting No, 3 voting Present. House Bill 2031, having received the required constitutional majority, is declared passed. House Bill 2038. Senator O'Malley. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2038.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 2038 amends the Code of Criminal Procedure by providing that in a criminal prosecution for reckless homicide, driving under the influence, or in a civil summary suspension hearing, a lab report from the State Police, Forensic Services Division, signed by and sworn by the person performing the analysis, may use to establish prima facie -- prima facie evidence of the analysis of the blood or urine. What -- the amendment that we added on yesterday and we heard in committee recently -- no, we didn't hear that in committee. Excuse me for that. That went right to -- it came right to the Floor here. What it provided is to make sure that while the report is prima facie evidence, it would not be if the -- demands live testimony. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 2038 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 2038, having received the required constitutional majority, is declared passed. House Bill 2042. Senator Munoz? Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2042.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

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Thank you, Mr. President and Members of the Senate. House Bill 2042 - Forcible Entry and Detainer Act relating to emergency evictions. This bill amends the emergency evictions provisions of the Forcible Entry and Detainer Act {sic} (Article). Limits their use to the owner of the premises. Requires a verified complaint alleging trafficking in or possession of cannabis or controlled substances, violent crime or attempted violent crime on the landlord's property by the tenant or other defendant, a member of the household or their guest. No advance notice shall be required to initiate the eviction action. This proposal broadens the number of situations where emergency eviction procedures are possible but limits the number of persons who can use the procedures. This does not prevent a public housing authority from initiating any emergency eviction procedure. It only prohibits a private property manager from initiating the procedures for the authority. Under current law, emergency eviction procedures were possible only when the proscribed activities were occurring with the knowledge and consent of the tenant or other defendant; however,

the procedures can be used by property managers. The proponents of this bill: City of Chicago, Chicago Public Housing Authority, CHA Police Department. There were some concerns from CHA residents. The amendment was put in. They felt a lot better about it as of now. I'd be -- more than happy to answer any questions at this time.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Munoz, I applaud you for what you're attempting to do,

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but I -- there are some concerns. One is the -- the part of your bill that says if the resident has knowledge or consent of the illegal activity. I have, as you know, Rockwell, Henry Horner, Cabrini Green, Harrison Court in my district. Sometimes the people are selling dope right in the -- in the entryway, so anyone who comes in the building has knowledge that it's going on. The

fact that they don't call the police means that they are giving their consent for that activity. So under -- under that scenario, could everyone in the building, then, be evicted because they have knowledge and consent of the illegal activity, even though the only reason they're not calling the police is 'cause they want to live?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

Senator Hendon, with regards -- you made an excellent statement. I know your district well 'cause I work there as a police officer. There are activities that go on, as far as the drugs. The tenants, if they were accused of anything like that, you have to keep in mind, sir, once they receive that fourteen-day notice, they go before a judge, and only then can they be evicted.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Okay. And I'll be brief. I -- I understand that. My question is, -- as -- as I read the legislation, if they have knowledge and consent of the illegal activity, then they are subject to eviction. Am I correct or incorrect?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

It's knowledge and consent, Senator.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

I know this bill is going to fly out of here because we're in this law-and-order state of mind, but let me just advise everyone in this room who may not have public housing how this works. Everyone in the building has knowledge and consent of -- of who's doing the shooting, of who's selling the dope. Unfortunately, the police department has -- cannot be everywhere - and I'll put it like that - so a lot of the residents are victims themselves. The gangbangers even shut down the elevators and make them pay to get up to the fourteenth floor or twelfth floor, or whatever. It's a good bill, but I -- I'm very concerned about that part of the bill, that -- because everybody in my neighborhood know who's doing what. I mean, we know who the gangbanger is, we know who's the dope dealer. In public housing, it's even more evident because they -- they take over the hallway. So if a person is subject to being evicted just because they have knowledge and consent of a crime, it goes too far, my -- my friend. And I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you. Would the -- thank you, Mr. President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

There seems to be another change and -- and I just want to know if you're changing this or this bill does it. Obviously you can have these quick forcible detainers if someone commits a crime on the premises. That certainly makes sense. You go there. You

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don't have to give notice and try to get 'em out. Now, apparently, this amends that also, in addition to the amendments you just said, that it also says that if a guest or an invitee commits the crime, then you could go in quickly without notice. At least that's what I read from the statutory language that states -- and I -- looks like line seven or eight, "...by the defendant, a member of the defendant's household, or a guest or invitee of the defendant..."

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

That's the old version, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

That -- that has been taken out. So it has to be the defendant himself.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Munoz.

SENATOR MUNOZ:

Acting in concert. They have to be acting with 'em. With regards, Mr. President, to Senator Hendon's question, as best I can answer this: Please keep in mind, Senator Hendon -- I appreciate what you say, because the activity that goes on, you're concerned about just the actual people being there, that they can be charged for that. We're talking about giving consent when they're actually in their apartment, selling the drugs or doing the weapons, whatever the case may be. They're not going to get charged and evicted for just standing there or passing by because they live in the public housing. And just keep in mind, also, that you have to go before the judge. He's the only one that can evict you from the premises.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 2042 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 2 voting No, no voting Present. House Bill 2042, having received the required constitutional majority, is declared passed. We are about to announce the committees, and as always, they will be posted at the door, front door, of the Senate. But, Senator Hawkinson, would you state your announcement, please?

SENATOR HAWKINSON:

Thank you, Mr. President. The Judiciary Committee will meet at 5 o'clock, or immediately upon the conclusion of the Transportation Committee, in Room 400.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard. Yeah. Be sure to listen closely, 'cause some of the meeting rooms have changed from the normal committee. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. The Local Government Committee will meet in Room 212 - 212, not our normal room - at 4 p.m.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

The Transportation Committee will meet at 4:30, in Room 400. Room 400, not A-1. 400.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

The Senate Education Committee shall meet at 4:30, in Room 212.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Sieben.

SENATOR SIEBEN:

Yes, the Agriculture Committee shall meet at 5 p.m. Agriculture Committee, 5 p.m., in Room 212. 212.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Yes, thank you. The Senate Executive Committee will meet immediately upon adjournment here, or the recess, I should say, in Room 212. So we'll meet immediately in 212.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. The Licensed Activities Committee will be meeting at 5:30, in room 400. 5:30, in Room 400.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

An announcement. Senate Commerce and Industry Committee will meet in 212, at 5:30 or immediately after the Agriculture Committee meets and finishes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

The medallion subcommittee will be meeting to consider the medallion for Senator Demuzio and Senator Welch.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones. Emil Jones.

SENATOR E. JONES:

Yeah. Thank -- thank you, Mr. President. Just a point of information. I had talked to the President earlier and I had assumed that you were going to -- to caucus because we had planned

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to caucus at the same time. And so I -- I'm trying to find out whether or not you're going to caucus. If you're not, then we will want to go to a -- have a Democratic Caucus.

PRESIDING OFFICER: (SENATOR WATSON)

We all heard the announcement on the committees. It's the intention of the Chair that we would -- well, yes, sir. Yes. Go right ahead, Senator Jones.

SENATOR E. JONES:

A point of inquiry. I don't want you to move in that direction because if...

PRESIDING OFFICER: (SENATOR WATSON)

It's my understanding that there will not be a Republican Caucus.

SENATOR E. JONES:

Well then, we would have a Democratic Caucus - recognize Senator Margaret Smith - in my office, for at least a half an hour, because it was my understanding with the Senate President that he would be going to one later on. That's the reason why I was waiting so we could do it at the same time.

PRESIDING OFFICER: (SENATOR WATSON)

That would be a good idea. Senator Margaret Smith.

SENATOR SMITH:

Thank you, Mr. President. I would like to make a request, please, that the Democratic Caucus would be immediately at the close of this Session -- right now. Right now, if I may.

PRESIDING OFFICER: (SENATOR WATSON)

All right. And we would like to give you thirty minutes. That way we'll back up all of our committee hearings thirty minutes from what was previously announced. Thirty minutes from what was previously announced. That a problem for anybody? The Democrats will have a caucus until 3:45 and then Executive Committee meeting will take place at that time, in Room 212. We'll recess to the

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call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate will reconvene. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 53, with House Amendments 1 and 2.

We have like Messages on Senate Bills 171 and 458, with Amendments 1; 460, with Amendments 1 and 3; 656, with Amendment 1; 725, with Amendment 1 and Amendment 2; 786, with Amendment 2; 946, with Amendments 1 and 2; 1061, with Amendments 1 and 2; 1112, with Amendment 2; and 1168, with Amendment 1.

All passed the House, as amended, May 13th, 1999.

PRESIDING OFFICER: (SENATOR MAITLAND)

Committee Reports.

SECRETARY HARRY:

Senator Fawell, Chair of the Committee on Transportation, reports Senate Amendment 2 to House Bill 1869 Be Adopted.

Senator Klemm, Chair of the Committee on Executive, reports Amendment 1 to House Bill 606 Be Adopted; Amendment 2 to House Bill 1622 Be Approved for Consideration; Amendment 1 to House Bill 1769, Amendment 2 to House Bill 2163 and Amendment 4 to House Bill 2320, all Be Adopted.

Senator -- Senator Dillard, Chair of the Committee on Local Government, reports Amendment 1 to House Bill 819 Be Approved for Consideration.

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Senator Hawkinson, Chair of the Committee on Judiciary, reports Amendment 2 to House Bill 31, Amendment 2 to House Bill 105, Amendment 3 to House Bill 526, Amendment 3 to House Bill 1177, Amendment 2 to House Bill 1278 and Amendment 3 to House Bill 1720, all Be Approved for Consideration.

Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Senate Amendment 2 to House Bill 1825 Be Adopted.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Amendment 6 to House Bill 619 and Amendment 2 to House Bill 1780 Be Adopted.

And Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Amendment 1 to House Bill 520 and Amendment 2 to House Bill 658, both Be Adopted.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, if I could have your attention, please. It is the intent of the Chair to start on page 12, middle of page 12, House Bills 3rd Reading. The first bill will be House Bill 2081. We will go through the Calendar, and then it is our intent to go to recalls and -- and go through 2nd Readings, then do motions and then that may well be the end of the day. All right. Middle of page 12 is House Bill 2081. Senator Shadid. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2081.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President, Members of the Senate. House Bill 2081, as amended, amends the license revocation provision of the

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Cemetery Care Act so that a licensee would be subject to revocation if any fact or condition exists which would presently justify denying a new application for a license. Amendment No. 2 clarifies existing law which provides that perpetual care and pre-need trust funds are exempt from creditors' claims in situations in which a cemetery or funeral home files for bankruptcy. I'm available for questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Peterson.

SENATOR PETERSON:

Thank you -- thank you, Mr. President. To the bill: I'd just like to ask everyone to support this bill. As you may recollect, I had Senate Bill 259, which had the Pre-Need Cemetery Sales Act in it. I mentioned at that time it was a work in progress. The Comptroller's Office has signed off on this. It's ready to go, and we all want to support Senator Shadid's House Bill 2081.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there discussion? If not, the question is, shall House Bill 2081 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2081, having received the required constitutional majority, is declared passed. House Bill

2088. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2088.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Illinois Century Network was -- was addressed by Governor Ryan in his Budget Address. He called for the creation of this network, and he proposed in his budget and has money in his budget for the next fiscal year for this. The Illinois Century Network is essentially a new name for an expanding service already available through Central Management Services. We're going to create a high-speed telecommunications network, linking Illinois schools, libraries, institutions of higher learning and other things. This kind of gets us to where other states are, in terms of our capabilities. Indiana, New York, Virginia are still sort of with us in this process, but we are still way behind California

and other states. This sort of brings us to where a major industrial state should be. And it's a great program, and I'd urge a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I wonder if the question -- thank you, Mr. President. I wonder if the sponsor would yield for a question or two.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I read with -- with interest the analysis on the Illinois Century Network and just kind of wondered whether you knew of any compelling reason that this has to be passed into statute. It -- it just -- as an appropriation person, it just kind of seemed to me that the BHE, the Board of Higher Education, was looking for a legislative mandate to spend this money?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

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I really don't know the answer to your question, Senator Rauschenberger, as to whether they're looking for a mandate to spend this money or not. The beauty of this, Senator, as -- as the Chairman of our Appropriations Committee, is that we use what is already there. We essentially do not recreate the wheel. We just build on what's there, and that's probably one positive out of this, at least from your money-watching role as our Appropriations Chairman.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I'm encouraged to hear that, Senator, and I will take that to the committee next time we have a hearing with BHE, that you said they were going to use existing resources. That does make me feel far better. I just wonder if you would be willing to consider, for a minute, taking this out of the record. We could, perhaps, do a Senate resolution and not -- then not inadvertently create a mandate in statute for this program.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

The Governor's staff, who is standing behind me, is telling me they want the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I certainly appreciate the sponsor and I think that's wonderful. If -- if a bill is what they'd like, I think a bill is what they shall have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard, to close.

SENATOR DILLARD:

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Be visionary and vote Yes. Thank you very much.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2088 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2088, having received the required constitutional majority, is declared passed. House Bill 2147. Senator Clayborne. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2147.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 2147 creates the Coordinating Committee of State agencies involved with tourism in the State of Illinois. The Committee shall consist of the Director of Department of Commerce and Community Affairs as chairman, the Lieutenant Governor, the Secretary of Transportation, the head executive officer or his designee of the Historic Preservation Agency, the Department of Natural Resources, the Department of Agriculture, the Illinois Arts Council, the Illinois Community College Board, the Board of Higher Education, the Grape and Wine Resources Council, along with four Members of the General Assembly, each one being appointed by -- by -- at least one being appointed by the Speaker of the House, one by the House Minority Leader, one by the President of the Senate, and one by the Senate Minority Leader. The Committee shall meet quarterly and at other times as called by the chair to

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coordinate the promotion and development of tourism in the State of Illinois. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2147 pass. Those in favor will vote

Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2147, having received the required constitutional majority, is declared passed. House Bill 2148. Senator Clayborne. Out of the record. House Bill 2166. Senator Robert Madigan. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2166.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 2166, as amended, makes two changes in the CHIP Act. First of all, it provides coverage for physicals and immunizations for children under the age of sixteen years that are part of the plan and requires that those immunizations be performed by physicians. The second component of House Bill 2166, as amended, provides that a person cannot -- would be barred from enrolling in CHIP if -- if, within the past or previous five years, they had health insurance benefits terminated due to fraud or assisted in another party's attempt at -- at insurance fraud on a health insurance policy. I'd be glad to answer any questions on House Bill 2166, as amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in support of House Bill 2166. CHIP, as we know, is a program of insurance of last resort, for people who haven't been able to get insurance in other ways. I think the provision that allows for physicals and immunization for kids under sixteen as -- is important not only for their health care, but, economically, it's going to save dollars in the long run by catching things early and preventing other costs down the road. So I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 2166 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 57 Ayes, no Nays, no Members voting Present. House Bill 2166, having received the required constitutional majority, is declared passed. House Bill 2218. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amends the Northeastern Illinois University Law, as it pertains to the composition of their Board. And it specifically addresses an issue that came up with regard to the student trustee, and it provides that the student member of the Board may serve a term, only one term. This is an agreement that came about

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between the student members and the trustees. It also has a variety of other provisions in it: Increasing the membership from seven to nine; it states that the student member shall be elected by a campus-wide referendum; requires that if any member of the Board appointed by the Governor fails to continue or meet the residency requirement, he has to resign. There's whole host here. States that new members of the Board shall not be from the same political party. Those are the major components of the bill. There's very little opposition -- there's no opposition. It's --

it's good for Northeastern Illinois, and that's what the community wants to do. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I rise in support of this bill. I want to commend the sponsor and also Senator Berman for our tedious work. This university is in my district. This is an agreement between not only the administration, but also the students that came down here and lobbied hard for this, and I would support a -- a Yes vote on this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Yes, I just want to rise to indicate some concern with the bill, primarily from increasing the Board from seven members to nine members. We just established the governing boards a couple of years ago, the separate governing boards, for the universities. Unfortunately, this Board's members haven't taken their jobs and their roles seriously, and that's too bad for the University and that's why we're having to take this corrective action. So I would encourage Members that -- that deal with that, Senator Silverstein, when they come through the -- the process again for

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appointments to the Board, please make some good, solid recommendations of individuals that are willing to serve.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I wonder if the sponsor would yield for a question or two.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In the flurry of amendments, Senator Cronin, and you've -- you've had quite a lot of legislative work in green sheets lately, I thought I saw an amendment that limited student trustees to a single term.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

That's correct.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Cronin, can you tell us why we would -- we would want to take a student member and limit them to one term? It would seem to me that if we got a student member involved, it would be nice to have a student member with maybe some experience, particularly if they were maybe in the first year or two after they left the university.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you. Forgive me. I misspoke. The sum and substance of the agreement, or of the amendment, was negotiated by the esteemed Senator Berman and Senator Silverstein. They can explain it in

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more detail, but, specifically, it does not limit the term within which the students can serve. It does not limit it. So I misspoke there and -- and I would defer to Senator Berman, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Rauschenberger, I'm glad you raised that question. For some reason, the House of Representatives added this term limits - did you hear me, everybody? - term limits to this proposal in the House, and that disturbed me greatly. I'm a strong opponent to term limits and that's why we have this amendment to eliminate term limits for the Northeastern Illinois University student trustee. So it's gone.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Myers.

SENATOR MYERS:

Mr. President, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Myers.

SENATOR MYERS:

I was wondering, I did have a few graduate students from that University come in and question why they could not serve as a student trustee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Senator Myers. We had sort of a -- a lively debate in committee when this bill was presented. It came to me. The sponsors in the House were Northeastern Illinois University alumni and it was represented as a noncontroversial matter, and then, lo and behold, it seemed to be very controversial. The Board Chairman

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sought to limit the -- the -- this term of service by students to one term, could only be an undergraduate. A number of rights and

duties were being severely limited with respect to the student trustee. And a number of the Members of the committee objected to that. That's why we have the committee process. We sort of discovered that -- that this bill needed some work. The Senator that represents that University, Senator Silverstein, took the lead and sat down the two sides, the students and the -- the Board Chairman, and they negotiated the sum and substance of the Floor amendment, which was adopted and is part -- that is part of this bill now. So I would defer to Senator Silverstein on any further -- answers you may seek, but I think this -- this bill represents the -- the -- an agreement between the students and the Board.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Silverstein, for a second time.

SENATOR SILVERSTEIN:

This is like playing ping-pong. Senator Myers, let me just explain. Northeastern is a commuter university, but about seventy to seventy-five percent of the students are undergrad. Graduate -- I went there for a year and a half, too, and I know graduate students just go there in the evening and leave. The intent behind the amendment is they wanted an undergrad student there who would be there on campus, who had more familiarity regarding what's going on in the University, besides a graduate. So that's why we chose an undergrad, and this was totally agreed upon.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cronin, to close.

SENATOR CRONIN:

I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2218 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 50 Ayes, 5 Nays, 2 Members voting Present. House Bill 2218, having received the required constitutional majority, is declared passed. House Bill 2219. Bottom of page 12. Senator Geo-Karis. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2219.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Criminal Code by creating the offense of aggravated domestic battery. Provides that a person commits the offense when in -- in committing a domestic battery, the person intentionally or knowingly causes great bodily harm or permanent

disfigurement or permanent disability. And the penalty is a Class 2 felony, and I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2219 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2219, having received the required constitutional majority, is declared passed. Top of page 13 is House Bill 2255. Senator Syverson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2255.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. House Bill 2255 cleans up a -- some

discrepancy in the Prevailing Wage Act to address some of the -- inconsistencies that were there before. It passed unanimously out of committee. Answer any questions or just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2255 pass. Those in favor will vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, 2 Nays, 2 Members voting Present. House Bill 2255, having received the required constitutional majority, is declared passed. House Bill 2261. Senator Klemm. Out of the record. House Bill 2263. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. This amends the Private Sewage Disposal Licensing Act. This bill will give local governments thirty more days to solve their compliance problems, that if the Department of Public Health finds there is a problem, they have to notify not only the unit of local government, but all persons

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operating under the local ordinance within sixty days. So this gives the local people an extra thirty days to solve their problems and meet compliance. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Shaw.

SENATOR SHAW:

Yes, thank you, Mr. Speaker {sic}. I just wanted to point out, on the -- 2255, I wanted to vote Yes, and inadvertently I hit the wrong switch. I'd like the record to show that I would have voted Yes on that bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so reflect, Senator. Is there discussion? If not, the question is, shall House Bill 2263 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2263, having received the required constitutional majority, is declared passed. House Bill 2264. Senator Klemm. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. This amends the Private Sewage Disposal Licensing Act. Before a new private disposal -- sewage disposal system may be built, the Department has to approve the drawings and specifications and other information that's requested by the Department; however, the Department's under no time

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constraints, so these programs are held up completely for an unspecified time. What this bill does, House Bill 2264, it says that they should report within sixty days, that's two months, after the reports -- drawings are submitted to the Department. There's no opposition. Do ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, can you please let the record show that on 2255, I should have voted Aye instead of Present? Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Record will so reflect, Senator. Senator Karpriel.

SENATOR KARPIEL:

Well, as long as everyone else is -- doing it, I would like the record to reflect that on House Bill 2088, I would have voted Yes, had I been in my seat. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Let the record so reflect. And let me make a suggestion to all of you. Let me -- let me make a suggestion to all of you. If you need to have that kind of an announcement, please give the sponsor of a bill the courtesy of having the debate be in one form and then, between bills, we'll make those announcements. Okay? That be all right? Thank you. Senator Klemm, to close.

SENATOR KLEMM:

Well, not really. I was just going to make an announcement that I intend to vote for my bill, 2264.

PRESIDING OFFICER: (SENATOR MAITLAND)

You made my point much better than I did, Senator. The question is, shall House Bill 2264 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no

Nays, no Members voting Present. House Bill 2264, having received the required constitutional majority, is declared passed. House Bill 2271. Senator Robert Madigan. Read the -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2271.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President. Members of the Senate, several years ago, this -- this Body enacted the rating bands for small -- small business health insurance. When we passed the federal -- or, passed the compliance for the HIP Act, or the federal Health Insurance Portability Act, this Act was repealed. House Bill 2271, as amended, reinserts that language back in the State statute. Basically what it does, it provides that health insurance policies on small employers cannot be raised or lowered more than twenty-five percent at the end of a renewal period. It also, instead of having three business classes of insurance in the State, there will be four classes of business -- or, insurance business in the State of Illinois. The business groups and the insurance industry are in favor of this. The Department of Insurance remains in opposition to this bill, but I would ask for support of House Bill 2271, as amended, and would ask -- be happy to ask any -- answer any questions on House Bill 2271, as amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield for a quick question?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I received a number of -- of letters in opposition to this. You indicated the Department, I believe, is still opposed. Did the amendment resolve the concerns of the private sector, which probably generated those letters of opposition?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR R. MADIGAN:

...President. We -- those concerns were addressed in Floor Amendment No. 2 to House Bill 2271.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, the question is, shall House Bill 2271 pass. Those in favor will vote Aye. Opposed, Nay. The

voting is open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record, Madam Secretary. On
that question, there are 59 Ayes, no Nays, no Members voting
Present. House Bill 2271, having received the required
constitutional majority, is declared passed. Senator Demuzio, for
what purpose do you arise, sir?

SENATOR DEMUZIO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point, sir.

SENATOR DEMUZIO:

Couldn't let the hour go by, since Chuck Eckert is celebrating
his birthday - one of our staff people - today, and we want to say
thank you very much for joining us tonight on your birthday,
Chuck Eckert. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Happy birthday, Chuck. Happy birthday. Happy birthday.

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House Bill 2283. Senator Donahue. Read the bill, Madam
Secretary.

ACTING SECRETARY HAWKER:

House Bill 2283.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. Ladies and Gentlemen of the Senate, this legislation -- if you remember, last year we created the Mid-America Intermodal Port Authority on -- the Illinois version in western Illinois counties. What this bill does is create a commission for us to enter into an agreement with Missouri and Iowa to create a tristate commission intermodal port district, I guess is how to put it. And it's very important -- very important in western Illinois. This bill also -- this bill also adds four more counties to the district: Henderson, Warren, Morgan and Mercer, and it also allows for the ability for a county that is in -- in the port district to disconnect. It gives ability to get into the district, through referendum. It gives the ability to disconnect, through referendum. I'd ask for its support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator, is this commission going to cost any money to run?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Donahue.

SENATOR DONAHUE:

Not the commission, no -- no, Senator Welch.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Well then, is the port authority going to cost the taxpayers any money?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

It will locally. The port authority is already established. That's already been done. This is to create the commission.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

She will yield, Senator.

SENATOR HAWKINSON:

Senator, are the four counties that are added, are they being added subject to referendum, or are they added automatically at their own request?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

They're being added at their own request, but we originally had it through referendum, but it seems like an awful long, drawn out thing, since they wanted to be a part of it. But we've also given the ability to disconnect if they want out.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Further discussion? If not, the question is, shall House Bill 2283 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2283, having received the required constitutional majority, is declared passed. House Bill -- 2320. Senator Watson, do you wish this bill returned to the Order of 2nd

Reading for an amendment? Senator Watson does seek leave of the Body to return House Bill 2320 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2323 {sic}. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. Amendment No. 4 provides for an enterprise zone extension of ten years for the Whiteside/Carroll County Enterprise Zone. Ask for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben has moved the adoption of Floor Amendment No. 4 to House Bill 2320. Is there discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. All right. House Bill 2330. Senator Klemm.

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Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. House Bill 2330 amends the County {sic} (Counties) Code. It allows permissive action by the county board to add a ninth member to the board of healths that are composed of eight members. There is some concern that there are some tie votes because there were only eight members on the board of health. This will at least give ninth member to be able to break ties. There's no opposition and it is permissive language.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2330 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2330, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to House Bill 2355. House Bill 2518. Senator

Rauschenberger? Out of the record. House Bill 2519. Out of the record. House Bill 2648. Senator Dillard. ...the record. House Bill 2713. Senator Robert Madigan, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Madigan seeks leave of the Body to return House Bill 2713 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 2713. Madam Secretary, are there any Floor

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amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 3, offered by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Floor Amendment No. 3 to House Bill 2713 is technical and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan has moved the adoption of Floor Amendment No. 3 to House Bill 2713. Those in favor, say Aye. Opposed, Nay.

The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Top of page 14 is House Bill 2726. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2726.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2726 amends the Adoption Act to provide for standby adoptions. Standby adoptions occur where a terminally ill parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either death of the terminally ill parent or the request of the parent

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for the entry of a final judgment of adoption. This comes to us by way of a committee active with the Chicago Bar Association. It's noncontroversial, as adoption matters go. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, the question is, shall House Bill 2726 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2726, having received the required constitutional majority, is declared passed. House Bill 2727. Senator Cronin. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2727.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. This bill is sort of a continuation of the same subject matter of the previous bill. This amends the Adoption Act as well and allows the court to finalize an adoption -- a judgment of adoption if the intended adoptive parent dies before entry of a final judgment. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Fawell.

SENATOR FAWELL:

I'm just reading my analysis. It's when the -- when the parent dies? Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Indicates he will yield, Senator Fawell. Senator Cronin.

SENATOR FAWELL:

Senator Cronin, is it when the parent dies? Because according to the analysis, it says when the child dies.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Well, the analysis is -- would be inaccurate if that's what it states. It's when the parent dies. And it's just for purposes of the name only.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR GEO-KARIS:

If the court would finalize it before the final decree is done, would not that give the adopt -- the child adopted the inheritance rights from its adopting parent?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Cronin.

SENATOR CRONIN:

No. This is for the name only.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

But in -- is it your honest opinion that when the court finalizes it, that's final? Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin. Senator Cronin.

SENATOR CRONIN:

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It doesn't relate back for inheritance purposes, if that's your concern, but it does give the child the name and that's all this bill does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't object to your bill, but all I'm trying to say is if it's final, it would be -- a question in my mind whether that child could not inherit because the adoption is final, and if it's final, that means that he is the child of the adopting parent. And if that's the case, I think he'd be entitled to inheritance. I support your bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Cronin, you wish to close, sir?

SENATOR CRONIN:

Just to clarify. This simply states, and it's right there on line 17 through 20 on the last page of the bill, that "...the court shall proceed to hearing and final judgment to enable the child to have the intended name by adoption. Otherwise the court may dismiss the proceeding." So that's the limited purpose of this.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. The question is, shall House Bill 2727 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2727, having received the required constitutional majority, is declared passed. House Bill 2733. Senator Stan Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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House Bill 2733.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 2733 is identical to the -- to the introduced version of Senate Bill 175, and with Amendment No. 1, it puts it in the same position. The calculated rate at 1.05. If there's any -- any questions, I'll be happy to try to answer 'em.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there -- is there discussion? Is there discussion?
Senator Demuzio. The light. That's it.

SENATOR DEMUZIO:

I'm -- I'm sorry. I'm trying to catch up with this -- with this bill, and apparently I'm not -- I didn't hear Senator Weaver's explanation. If he could just indicate to me, again that -- very shortly, what this bill does. Does this have anything to do with categoricals?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

No, it doesn't.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio. Okay. Very good. Further discussion? If not, the question is, shall House Bill 2733 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. House Bill 2733, having received the required constitutional majority, is declared passed.

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House Bill 2758. Senator Donahue. Out of the record. House Bill 2771. Senator Rauschenberger. Out of the record. House Bill 2790. Senator Donahue. Out of the record. House Bill 2793. Senator Rauschenberger? House Bill 2794. Senator Rauschenberger? Out of the record. House Bill 2823. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill allows law enforcement officers to use the address of their police headquarters as an address when titling or registering a vehicle with the Secretary of State. An amendment was put on at the suggestion, I believe, of Senator Dudycz, that would also allow some family members to also, if that -- if they lived with the police officer and they believe they might be in danger, to register their cars at the police headquarters as well. Police groups are in support of this, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Shaw.

SENATOR SHAW:

Yes, thank you, Mr. President. Just for the purpose of intent, Senator Dillard. This would not be to get around the residency ordinance in any way?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

So, they can register their vehicle. Is that saying that they live there just for the purpose of registering their vehicle for safety purposes, let's -- let's put it that way.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

This has nothing to do with what their legal residence would be, Mayor Shaw. It would -- it really is to protect the health and safety of police officers who believe that criminals can track down, through their vehicle licenses, where, in fact, they live and come after them, their family, their children. It really is to protect police officers who, for whatever line of work they are in, feel that they are at risk of having somebody find out where they live, who is wanting to harm them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Shaw.

SENATOR SHAW:

I think it's a great bill and -- great bill, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. Chairman {sic}. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator.

SENATOR MOLARO:

You said when -- when a police officer actually thinks that he

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might be in some danger. Does there have to be a showing of this danger before he's afforded this opportunity, or can he just join the force and be on the job, never made an arrest: I'm a police officer and I don't want my name and address known by anyone?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

There's no requirement that they actually show that they are in harm's way, although I would assume that many of these men and women don't know whether they're in harm's way. And it is really to protect them. I'm not sure many police officers will take use of this. They might not, you know, want the extra paperwork coming to their headquarters or to their office or precinct, or whatever they work out of. But, no, there's no requirement, but I

just think that you leave it up to the police officer, and if they feel threatened, they should change their address.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Yes. I -- I don't want to bring in other non-police, because obviously we could take a bill next time and add judges or legislators or anybody else that we'd like, but let's just stick with the police part. Does this bill include sheriffs' police officers, correctional officers, other sworn personnel, deputy sheriffs, court service personnel, probation officers, Secretary of State police, coroners, coroners' investigators? How far does the bill go, or what kind of definition do we use for people to avail themselves of this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Was that a -- was that a question, Senator? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Senator Molaro, it's on the first

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page of the bill and it says, "A police officer, a deputy sheriff, an elected sheriff, a law enforcement officer for the Department

of State Police, or a fire investigator..."

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Dudycz.

SENATOR DUDYCH:

Yes, thank you, Mr. -- Mr. President. Just to stand in support of this legislation. Senator Molaro, the police station that -- that Senator Munoz and I work out of, on the west side of Chicago, has a parking lot that is accessible by the general public. In other words, somebody can walk by that police station and write down the number of every police officer's car that is down there. They have free access to it. Even though they -- they should not be in the parking lot, they can walk by the parking lot and -- and write down these license plate numbers. And this legislation would just allow those officers who would feel more comfortable to have that registration be placed into police headquarters, rather than their home. A lot of people -- a lot of people that are processed through -- through the police station go right past that parking lot, past those squad -- or, those police officers' individual cars, and that's where they have access to those numbers.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro, for a second time.

SENATOR MOLARO:

Yes. I -- I apologize, but my name was mentioned. Quickly, you know, I'm not trying to be that facetious with it, but obviously, if we're -- if some -- some police officer is in harm's way or there's some showing of it, that would certainly make sense to me. But just the fact that you get on the police department, I

don't think should allow you to be able to hide this information.
And as far as walking in any police station, some of the -- when

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-- when I have defended people or prosecuted when I was a prosecutor, I've had more defendants threaten State's attorneys than threaten the police officers who arrested 'em. And this bill doesn't go to State's attorneys or other people that find themselves in harm's way. If you find yourself in harm's way and you need to do this, that makes sense. But just to say any -- as soon as you become a police officer, that may put you in harm's way, then we should have thought of State's attorneys, as well as other people who may wind up in harm's way.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. I just believe we should, in this very difficult world, give the police officers the maximum protection that we can, and if they feel they need this protection, we should give it to 'em, support 'em. And, Senator Molaro, you know, we amend bills and laws around here all the time, and I'm sure maybe we haven't seen the last of this. But,

right now, I care about the police. It comes from a real incident in my district, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2823 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2823, having received the required constitutional majority, is declared passed. House Bill 2826. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2826.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation is an initiative of the Department of Agriculture. It is their administration bill, and it -- it amends several different Acts dealing with the

area of -- of livestock. It's intended to bring revision and bring the statutes up to speed in various Acts and activities that are regulated by the Department of -- by the Department of Agriculture dealing with various aspects of livestock.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I reluctantly rise on this bill and I regret that I have to do it because of recent trends and Supreme Court decisions on the single subject rule. Staff, I think, clearly believes that this violates the single subject rule. You know, it used to be if you -- if you used the generic term livestock or agriculture or the criminal law, there wouldn't be any challenge. But, unfortunately, in the more recent decisions, a much more stringent view, at least, is hinted at in the most recent decisions. And -- and this has a number of unrelated provisions, and while we can group them together under a general heading, I think we need to be true to the -- the trend of the opinions of the Court and that we ought not be challenging them with the single subject matters, and so I intend to vote Present. And I think that's what we ought to do. We ought to send this back to the House, break it down in individual bills. There are plenty of vehicles out there, and we ought to do the right thing and not be sending another challenge to the Court.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Sieben, you wish to

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close, sir?

SENATOR SIEBEN:

Yes, Mr. President, I do. Senator Hawkinson responded to the question of the single subject rule and informed me that he was going to raise the objection. So I asked the legal counsel for the Department of Agriculture to give me some information on their interpretation relative to this administrative -- administration bill. And their chief -- or, general counsel, Cynthia Ervin, had some comments I'd like to put into the record here. It may take a minute or two to -- to read these in, but -- in their opinion, the single subject clause of the Illinois Constitution of 1970 provides, in relevant part: Bills, except for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. In determining whether a violation of the single subject clause exists, the Illinois Supreme Court has stated that the term "subject" generally should be construed liberally in favor of the Legislature. Moreover, the Supreme Court has noted that the legislative Acts are to be afforded a considerable presumption of constitutionality. This presumption, however, is not without limitation. A bill violates the single subject rule when its provisions do not have a "natural and logical connection." That is, the General Assembly violates the single subject rule when it "includes within one bill unrelated

provisions that by no fair interpretation have any legitimate relation one to {sic} (to one) another." However, in the case of this bill, when examined liberally, the bill appears to encompass a single subject: livestock. Therefore, it would seem to be a "natural and logical connection" justifies the enactment of these various matters in one Act. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 2826 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish?
Take the record, Madam Secretary. On that question, there are 48
Ayes, no Nays, 9 Members voting Present. House Bill 2826, having
received the required constitutional majority, is declared passed.
House Bill 2845. Senator Dillard. Read the bill, Madam
Secretary.

ACTING SECRETARY HAWKER:

House Bill 2845.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This amends the Clerk of the Courts Act and, in fact, it comes from the Clerks' Association and provides that a -- the thirty-six-dollar fee for maintenance and support cases shall be used by the clerk of the court for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the court. I know of no opposition, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Discussion? If not, the question is, shall House Bill 2845 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 2845, having received the required constitutional majority, is declared passed. Bottom of page 14 is House Bill -- out of the record. Earlier today leave was granted to return to -- when Senator Donahue was in the

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Chair, to House Bills -- House Bill 287 on page 6, and by Senator Fawell, on page 7, House Bill 604. We'll go to that order of business now. On page 6 is House Bill 287. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Why thank you, Mr. President. Ladies and Gentlemen of the Senate, here we go again. No. We had kind of a lively debate on this subject yesterday or this morning, I don't even remember, on the adoption of the amendment. I'm here to tell you that we have -- discussions again are continuing and we -- things are starting to move. If you will allow this to move to the House, Representative Tenhouse has indicated he will nonconcur in the amendment. We will have a conference committee and we will be able to come back to you with agreed-to language, hopefully. So that's the plan, and Senator Peterson here can attest to Representative Tenhouse's comment on he will nonconcur. So, if you will support this, I would appreciate it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR RADOGNO:

Thank you. It's my understanding that the existing fund doesn't expire until December 31st, of the year 2000, so that if

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there are negotiations in progress, we do have some time to work this out so we know for certain the language has been agreed to. The reason that's important is that, as I understand it, if this fund grows in a way that you suspect it will not, it could result in additional charges to telephone customers in the suburban areas.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Absolutely not. There is no way this is going to increase. This has been going on for sixty years. And I've tried to tell you we're not increasing anything. We're trying to do the status quo. Please don't listen to the telephone wars that are going on. Sorry. Just give us the opportunity. If you don't like this, then vote Present, vote No. But you're doing the wrong thing, and

you're listening to the wrong people. Please just get it out of here, let us get it into conference and let's work out the differences.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, the -- Senator Donahue, you wish to close? All right. The question is, shall House Bill 287 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 35 Ayes, 16 Nays, 7 Members having voted Present. House Bill 287, having received the required constitutional majority, is declared passed. On page 7 is House Bill 604. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 604.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. This bill was requested by the Auto Dealers. It -- it provides that if a vehicle dealer gives a customer a loaner vehicle or allows someone to test drive a vehicle, the dealer's insurance would not necessarily be primary. Bill provides the following: If a customer has no insurance, dealer's policy covers an accident in the amounts of a hundred thousand over three hundred thousand over fifty. If the customer has coverage less than twenty over forty over fifteen, then the dealer's policy is secondary at the hundred thousand, three hundred thousand, fifty thousand limits. If the customer has insurance at the limits of twenty thousand over forty thousand over fifteen, then the customer's insurance is primary and the dealer's insurance is secondary, but will apply only to the excess of the customer's policy, including underinsured motorists coverage. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you. Senator -- a question for the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates she will yield, Senator.

SENATOR SYVERSON:

Senator Fawell, in -- in committee we tried to address - and I -- and I support this legislation - we tried to address the issue of -- of stacking. And there seems to be some disagreement in the language in regards to stacking: where the proponents say it does not state that, but the opponents state that it clearly states that that is the case. With this going back to the House, can we have an agreement that -- that -- that this legislation -- that we

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will get some -- some language that clearly states that stacking would not apply in this?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

That's -- that's your cue. There is a Senator here who has the legislative intent.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

It's my understanding that legislative intent will not address this issue properly. Since this does have to go back to the House anyways, can we have the agreement that -- since everyone's in agreement that there's not going to be stacking, can we have the agreement that, when it goes back there, they can nonconcur? We can put the language in that addresses the stacking issue.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

You -- we certainly have the agreement they will meet on this

question. We will -- we will get it straightened out. I've already talked to them, and -- and we were hoping to meet this morning to -- to -- and instead they -- they came up with the legislative intent to make sure that this was -- was in the record. But we will continue to work on it, yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Syverson.

SENATOR SYVERSON:

Is that -- then, that is a yes that they would nonconcur so -- unless there's agreement on the -- on the language of stacking, on that -- just that issue?

PRESIDING OFFICER: (SENATOR MAITLAND)

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Senator Fawell.

SENATOR FAWELL:

Yes. We are going to send it to conference and... You know, I'm not an insurance person, so I'm not sure how this all works, but we'll -- we'll get it done right.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, would someone who knows what the bill does yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR CULLERTON:

I -- I'm not on the committee. Senator Fawell, this is...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

...the third time you've -- you've risen to pass this bill. I'm not on the committee, so... Yes, I know you put the amendment on last time...

PRESIDING OFFICER: (SENATOR MAITLAND)

Let's -- let -- wait -- wait a minute. Wait a minute. I'm the one that recognizes the speakers. Okay? Senator Cullerton.

SENATOR CULLERTON:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

She will yield, Senator.

SENATOR CULLERTON:

Thank you. So, thank you for putting the amendment on and not trying to pass the bill without it. But I'm not on the committee that debated this issue that Senator Syverson was just talking about. The issue of stacking, is that what you're referring to?

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Senator Fawell, could you...

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator -- Senator Fawell.

SENATOR FAWELL:

I -- I believe that was the question, yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Could you describe what the issue was in -- that you debated in the committee about stacking? Could you describe what the issue is?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell.

SENATOR FAWELL:

Whose insurance is primary and secondary.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

And the way the bill's drafted, if I understand it, the background is that before, when people took a test drive of a car, that up until a recent court decision, it was -- their insurance was primary. And the court decision reversed that, so that it would be the car dealer whose -- whose insurance would be primary. So the purpose of this bill was to clarify that the -- that the

person who's driving the car, who has their own insurance, their insurance is primary, but the amendment was added so as to allow for the auto dealer's insurance to come in secondarily after the -- the limits were reached. That's what I thought what -- the amendment was. So now -- you started talking about stacking here and I don't -- I don't know what that is. I'm not on the committee. I'm just wondering if somebody could explain what the issue is, because you have a request to have the bill go to a

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conference committee and I don't think you've made it clear whether or not you've made that commitment or not. So before we vote on this, I just want to know what it does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you. I'm -- I'll try and -- I am on the committee, and -- and the debate on stacking came about through testimony presented by State Farm and Allstate, who felt that the amendment created the stacking issue because of the way in which it was drawn. They testified they felt it was confusing because it made references to underinsurance and -- and uninsured coverage in

connection with this primary excess issue in a context that is not found anywhere else in the Insurance Code, and because -- they felt the confusion created by the amendment could easily lead to the conclusion that stacking would be allowed, and stacking generally is you take up to the limits of -- of several different coverages and add them together, rather than just having one coverage. You understand the general issue. I'm opposed to the bill for other reasons related to consumers, but that's the answer to your question on stacking.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. If I could just add to that explanation. The issue of stacking means that if I'm driving that car -- I'm going to go to XYZ Cadillac Company, and I'm going to drive one of their cars to see if I want to buy it. At my house, I have three cars, and three separate State Farm policies. The question that was raised is, if I run you over while I'm driving XYZ Cadillac Company's car, under this bill as amended, my policy is primary. If I only have a twenty/forty policy, XYZ Cadillac

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Company that must have at least a hundred/three hundred, their policy covers it after my twenty/forty policy is exhausted. But, and it's the intention - and I believe this is what's been explained to me in my discussions with State Farm and Allstate - is that my other policies on my other cars are not brought into play by this. It's not the intention of the amendment to bring in policies that don't cover me or a car. I cannot add to it when those other policies say they cannot be stacked. And that is what the question was. That's the way I read the language, but I defer to the sponsor if they're going to clarify it. That was the intent. So it's one policy of the driver is primary, then if there's inadequate coverage, the dealer's, and that was -- that is what has cured the bill. I support the bill. If an amendment is necessary to clarify this, as opposed to legislative intent, that's fine, but that -- that's the way I read the bill. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Mr. -- thank you, Mr. President. Earlier today I was handed a -- a sheet by representatives of the Auto Dealers, I assume, here, for legislative intent, that, as amended, this is to provide that the dealer's insurance is in excess of the permitted -- permitted user's insurance. The intent of the bill is not to permit the combining or stacking of insurance coverages where, heretofore, have not been permitted under Illinois law. Just before we came back into Session, I received a sheet from all the insurance companies in Illinois indicating that the entire insurance industry that provides auto insurance is united in

opposition to House Bill 604. So I think we've got a clear indication that there is no agreement on this bill. And we need to accept the sponsor's assurance that this bill's going back to

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the House, needs work on the clarification of the language, because it's got major parties involved with great disagreement on the language here. It's still apparently not clear, and I would support the -- the Senator in -- in moving this bill along, sending it back to the House, getting it into conference committee, try to work these differences out.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Shadid.

SENATOR SHADID:

Yes, I'd just like to rise in support of Senator Fawell's bill, and let's get it out of here so it can be worked on. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President. Reluctantly, I have to rise in opposition to this bill, and point out to the Body that while

we're arguing about this concept of stacking or whether or not this -- you know, what policy is excess, what policy is primary, what policy is super excess and all of that, we're -- also have to look at the original purpose of the House -- House Bill 604, and that changes the way auto policies, both -- as written by automobile insurance companies, and by the Supreme Court, have decided who pays first on an automobile policy, or which policy comes first, and that's the automobile policy comes first, and then, you know, if there's no insurance there or if this is a temporary substitute or something of that nature, then the insurance on the driver comes first, but always the policy on the auto -- the automobile comes first. This changes all that. Not only do we have the problem as far as deciding whether or not we're talking about stacking policies to build up potential policy limits, but the underlying bill is completely different than the

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way automobile policies are rated and have been decided, by the Supreme Court, how -- who comes first in a claim involving an automobile. So I have to rise in opposition to House Bill 604, as amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, the way this bill is structured, if I go to a dealer and he says "Here, take this car out and try it out", I try it out and I have an accident, then my insurance has to cover. It should be the dealer's insurance that covers 'cause he's giving me the authority. But I take Senator Fawell's word - it's always been good - and that's -- that has to be cleared up, because Senator Madigan is absolutely right. And I will give you a vote to get it out, but I'll tell you right now that, if they don't correct it in the House, I'm going to be very upset about it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Fawell, to close.

SENATOR FAWELL:

Thank you very much, and thank you for the discussion. Yes, let me tell you what -- what the -- the problem has been. There was a Supreme Court ruling that stated that the liability policy issued to a car dealer must cover any person that uses the car with the dealer's permission, regardless of whether the driver has his own liability insurance or not. Now, the question is, and I guess it's a philosophical question: Should your insurance cover your car, or should your insurance cover the driver? If I go and rent a car, my insurance must cover that car, because I am personally responsible. If -- if I wreck my car, I go to the dealer, the dealer loans me a car, then I feel that that same insurance should follow me. It shouldn't be the dealer's problem.

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This is basically what we're talking about. This is -- the ruling was reversed, but it had been the practice for years and years that the customer's insurance provided coverage. And before I lose anybody else, I'm going to ask for a Yea vote and we'll try and get it straightened out in the -- in the House.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 604 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 35 Ayes, 20 Nays, 1 Member voting Present. House Bill 604, having received the required constitutional majority, is declared passed. All right. We will now move to page 27, Motions in Writing to consider -- to Reconsider the Vote. Mr. Secretary, are there any motions on file?

SECRETARY HARRY:

Senator Dillard has filed the following motion: Having voted on the prevailing side, I move to reconsider the vote by which House Bill 1061 failed.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Having voted on the prevailing side, as the Secretary indicated in my written motion, I wish to move to reconsider the vote by which House Bill 1061 failed.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Senator Dillard had -- has moved to reconsider the vote by which House Bill 1061 failed. Is there discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 34 Ayes, 23 Nays, no

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Members voting Present. And the question before this -- and the motion carries. On the Order of 3rd Reading is House Bill 1061. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1061.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1061, as amended, will create the Soft Drink (Industry) Fair Dealing Act, which will give a little more protection to independent distributors, but no guarantee. If you'll remember a few days ago, we passed House Bill 555, which would make it impossible for General Motors, Ford or Chrysler to own a local automobile dealership. There wasn't a descending vote. Now, the reason we passed that bill was to prevent the same thing that is happening in Indianapolis, where Ford Motor Company is buying ten or twelve dealerships, closing them down, and opening up five new dealerships owned by the corporation. The reason we passed House Bill 555 was to prevent that from happening in Illinois. Everybody voted for it. I voted for it. It was certainly a step in the right direction. I would suggest to the Membership, I don't see any difference between 'em. In fact, 555, you can't own it under any circumstance. Under my proposal, you can -- you can own 'em, but you have to show cause to take it away from the local distributor. So, I certainly will answer any questions and would respectfully appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. The precedence has been set in the past where we allow one opponent to speak and there would be one proponent in

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addition to Senator Philip. Is there discussion? Is there discussion? If not, Senator Philip, you wish to close?

SENATOR PHILIP:

Roll call, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1061 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 31 Ayes, 26 Nays, no Members voting Present. House Bill 1061, having received the required constitutional majority, is declared passed. Senator Clayborne. ...Motions in Writing is House Bill 1900. Mr. Secretary, have any motions been filed?

SECRETARY HARRY:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 1900 passed.

The motion by Senator Clayborne.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Having voted on the prevailing side, I -- motion to reconsider the vote -- vote by which House Bill 1900 passed.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne has moved the -- has requested reconsideration of the vote by which House Bill 1900 passed. Is

there discussion on that motion? If not, all those in favor, signify by saying Aye. Opposed, same sign. The motion carried and the motion to reconsider... I believe, Senator Clayborne, we better have a roll call vote on that because of the nature of the bill. All those in favor of the motion to reconsider -- the voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? ...the record, Mr. Secretary. On that question, there are 27 Ayes, 28 Nays, 3 Members voting Present. The motion to reconsider fails. Senator Luechtefeld, for what purpose do you arise, sir? All right. All right, we're going to page 5, recalls. First bill will be House Bill 31. Senator O'Malley. Second bill will be House Bill 63. Senator Watson. On the top of page 5 is House Bill 31. Senator O'Malley, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator O'Malley seeks leave of the Body to return House Bill 31 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 31. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment 2 to House Bill 31 becomes the bill and it puts the -- Governor Ryan's "10-20-Life" initiative in -- in its most current form that's been negotiated and consistent with the form that -- the Senate version. Senate Bill 1112 is currently in -- in the House.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator O'Malley moves the adoption of Floor Amendment No. 2 to House Bill 31. Those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, do you wish to have House Bill 63 returned to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 63. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much. The original legislation created a revolving loan fund and what we are doing with the amendment is adding most of the northeastern Illinois airports to be eligible to participate in this land bank and the loan program -- revolving loan program. However, O'Hare, Midway, and any airports not operating as of January 1st, 1999 - in other words, Peotone - would be excluded.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on House Bill 520. On the Order of 2nd Reading is House Bill 520. Mr. Secretary, are there any

Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 1, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President. We do have agreement on the amendment for House Bill 520. And what this does is it takes out certain provisions that were not in agreement between the manufacturers and the automobile dealers. And what it does keep in is that it keeps the language granting the -- the dealer thirty days to file protest. It also adds the standard of reasonableness to the provision allowing for the recovery of expert witnesses' fees in a legal action. And finally, the provision regarding the reimbursement of parts at the dealer's retail rate was substantially expanded to include a mechanism to determine the actual retail rates being charged by the dealer. There is agreement between the manufacturers and the auto dealers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all

those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpel. On the Order of 2nd Reading is House Bill 658. Mr. Secretary, are there Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpel.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpel.

SENATOR KARPIEL:

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Thank you, Madam President. This amendment -- excuse me. This amendment meets the objections that the committee had dealing with the definition of -- of equipment. This narrows the -- the definition of -- of equipment to be construction equipment for -- for use in the process of construction about the land or a structure where the improvement is. And then it also -- meets

some of the Home Builders objections. It puts in that it's other -- for other than a single-family or a multi-family residence or less than -- of -- I'm going to -- blah! Shouldn't have called on me when I was eating my chicken. This means the -- the leased equipment has to be construction equipment and it has to be -- it cannot be used in a single-family or a multi-family residence of less than ten residences under one roof. There's a further amendment that the Home Builders would like to put on in the House. They are in support of this amendment -- or, this bill, as amended, and are in support of it going back to the House to have the rest of their -- their objections taken care of.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor of the amendment, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

Thank you, Madam President. Just for the record, I'd like the record to reflect that on House Bill 604, I pushed my button late. I intended to vote Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so indicate. Senator O'Malley seeks leave to

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return to the -- recall -- to the Order of 2nd Reading. On the Order of 2nd Reading is House Bill 819. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 1 adds language to amend the Metropolitan Water Reclamation District Act to provide that persons employed for periods not exceeding seven years under an apprenticeship program shall not be classified under civil service. The same provision was passed earlier, I believe in House Bill 557, offered by Senator Viverito. I'd be happy to answer any questions you have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson -- 3rd Reading. Senator Syverson, on House Bill 1177. Senator Syverson seeks leave of the Body to return House Bill 1177 to the Order of 2nd Reading. On the Order of 2nd Reading is House Bill 1177. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Syverson, on Amendment No. 3.

SENATOR SYVERSON:

Thank you, Madam President. Amendment No. 3 is the -- the culmination of the work on the home fraud language and be happy to answer any questions on it; otherwise, we can discuss it on the 3rd.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Bowles, on House Bill 1278. Senator Bowles seeks leave of the Body to return House Bill 1278 to the Order of 2nd Reading for the purposes of an amendment. On the Order of 2nd Reading is House Bill 1278. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Bowles.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles, on Amendment No. 2.

SENATOR BOWLES:

Thank you, Madam President and Members of the Senate. The Senate Amendment No. 2 to House Bill 1278 deletes everything and becomes the bill. It amends the Controlled Substance Act and defines drug manufacturing equipment, drug manufacturing facilitator, and methamphetamine manufacturing chemicals. It expands the offense definitions to include possession -- manufacturing chemical with the intent to manufacture methamphetamine or a salt of an optical isomer or {sic} (of)

methamphetamine or an analog thereof. It is supported by the Illinois Police, the City of Chicago, Drug Enforcement -- the DEA Task Force, the Fertilizer and Chemical Association of Illinois, and the various associations of chiefs of police. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on House Bill 1622. Senator Parker seeks leave to return the Order of -- House Bill 1622. On the Order of 2nd Reading is House Bill 1622. Mr. Secretary, are there any further -- are there Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President. What this does is - and the -- Senate Amendment No. 3 also clarifies what this actually will do - is it takes the clinical trials, it allows for these to be offered and it would be mandated that they be offered by the insurance

company to the employers and to the individual policies. It is not a mandate for coverage, but is a mandate that it be offered, and if the person does want it, that then -- that they would be covered.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman. I don't know whether the Senator wants to debate Amendment No. 3 now or -- I just got a couple questions that I'm not sure of -- of what they mean. I don't know if you want to do it now or if you want to wait 'till 3rd. I can do it either way you prefer.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Tomorrow.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Yes, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Klemm.

SENATOR KLEMM:

Yes. Senator Parker, the -- the amendment came to our committee, as you know, and I had asked about if you're going to have any opportunity to be able to see if there are some arrangements that you can make with those that had objections that I thought were still somewhat valid, and yet, to keep the momentum of what you're trying to do intact, because I do support it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Senator, the bill -- the amendment that we have before us is a basis for an agreement. This issue has been before the General Assembly probably for at least six years. And we have agreement with a lot of the parties. There are still a few questions, but this is -- the basis of the agreement that we have is this

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amendment that we have before us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

So, then, I -- I guess your answer is no. Even if it's going to a conference committee or something, you don't intend to -- negotiate any other provisions that possibly will be there. Because I have a concern that as a small manufacturer, that I allow my employees to have this option to purchase this type of insurance but it's so -- astronomically high that -- that they can't do it. And so I'm concerned about we have some basis there that we can offer that, to do what you're trying to do, but I think the insurance companies did have a couple valid points. Now, maybe you weren't able to reach agreement then, but I'd like to see that -- least you'd be willing to continue it if it's going to go to conference committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The -- the bill is going to conference committee, Senator. It is going to conference committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator Klemm.

SENATOR KLEMM:

My question is: Will you have discussion with them? You -- I -- I understand it may go to conference committee, but I'd like to have your commitment, that I thought I had when we had it out of Executive Committee this morning -- this evening?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

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Senator, there have been discussions for six years. We will continue to have discussions. But I can't guarantee you that this amendment will be any different if it does pass the General Assembly. I can tell you that there will continue to be discussions, but I can't say it will be changed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. You know, in some respects, I think this is one of the most important bills we've got on. As -- as a lot of you know, my -- my son died of cancer, and he took the same -- he had the same doctors that our Attorney General right now has, or the same group of doctors. There are so many new drugs coming on the market right now. It's a constant -- not experiment, but a constant new way of treating people. If Steve had lived long enough and hadn't gotten the cancer on the spine at the end, they were going to try an -- a -- a drug that has been used that would've cut the blood supply off to the -- to the tumors. And I think a lot of you read about that particular treatment in the paper. If he had that treatment, it could have saved his life,

and, just think, you could have had me for the next decade. I think it's very important that this bill be passed. There are people who need this kind of treatment. These really are not experimental drugs; these are new treatments. And I saw whole rooms of people who were making it because of these treatments every time I took my son to Northwestern Memorial. I sincerely hope that you understand the seriousness of this bill. I truly believe it's one of the most important. And would you do it for Steve?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs, for a second time.

SENATOR JACOBS:

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Thank you, Madam President. Sorry to rise for a second time, but I think that the Senator, in response to my request, requested that it be debated tomorrow. This side of the aisle supported a motion to reconsider earlier; the other side of the aisle chose not to support our -- our motion to reconsider. And I think, again, we're finding the same thing here: This side of the aisle is willing to wait till tomorrow, and it seems like we have a problem on the other side.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, humaneness knows no side of the aisle. I think this is a good amendment. It's going to be in conference, and I urge your support of it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Parker, to close.

SENATOR PARKER:

I would ask it be approved so we can further our discussions.

PRESIDING OFFICER: (SENATOR DONAHUE)

All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Silverstein seeks leave of the Body to return House Bill 1769 to the Order of 2nd Reading for the purposes of an amendment. On the Order of 2nd Reading is House Bill 1769. Mr. Secretary, are there Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeLeo, on Amendment No. 1.

SENATOR DeLEO:

Thank you, Madam President. Amendment No. 1 allows a receiver -- this was a -- an amendment that came out of the Chicago housing court judge's task force last year. This only affects the County of Cook, and it requires the County Treasurer to transfer two hundred and fifty {sic} dollars from their -- their fund. This has no State dollars. This is from the Torrens Division. We're just moving it over to the Circuit Court Division. I ask for a favorable roll call on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Burzynski seeks leave of the Body to return House Bill 1780 to the Order of 2nd Reading. On the Order of 2nd Reading is House Bill 1780. Mr. Secretary, are there Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, on Amendment No. 2.

SENATOR BURZYNSKI:

Thank you, Madam President. This is an agreed-to amendment by all of the affected parties. Requires all health care plans, including HMOs, to use standardized forms for credentialing and

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recredentialing physicians. Requires all health care plans that credential a physician to collect credentials data from that physician at any one time over a two-year period. Provides that -- all health care plans to use the uniform site survey instrument and requires all credentialing decisions made by an HMO or other similar organization within sixty days of the receipt of all necessary credentialing information. It's an agreed-to bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Shadid, on House Bill 1869, seeks leave of the Body to return House Bill 1869 to the Order of 2nd Reading. On the Order of 2nd Reading is House Bill 1869. Mr. Secretary, are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid, on Amendment No. 2.

SENATOR SHADID:

Thank you, Madam President. Amendment No. 2 to House Bill 1869 amends the Criminal {sic} (Vehicle) Code regarding school bus driver permits. It adds numerous offenses under the Criminal Code that automatically disqualify a bus driver permit applicant. I'd appreciate a Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the

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amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. All right. If I could have the attention of the Body, we are going to the bottom of page 14, House Bills 2nd Reading. And it will be the last time, the last time we will go through 2nd Readings. Senator Clayborne, on House Bill 105. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 105.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments filed for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne, on Amendment No. 2.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Amendment 2 to 105 expands the original version, allowing to cover any exposure to an assistance animal to harmful chemicals where the person responsible for the exposure knew or had reason to know that the assistance animal would be present and the chemical would be harmful to the assistance animal. This is more specific. It narrows the cause of action, but it still maintains the fact that a civil action can be brought against any person who steals or,

without provocation, attacks the assistance animal. I'm open for any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Lauzen, on House Bill 134. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 134.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen. Oh. Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Senate Floor Amendment No. 2 to House Bill 134 provides that those parcels now receiving full exemption will not lose that, and, number two, directs the assessor to add eighty-five percent of the assessed value of any improvement to the parcel subsequent to the freeze.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 3, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman, on Amendment No. 3.

SENATOR BERMAN:

Thank you, Madam President. Senate Amendment No. 3 to House

Bill 134 provides, in addition to the previous provisions, that improvements or additions made to the property that would increase the assessed value of the property, eighty-five percent of the assessed value of such improvements will be added to the assessment of the property for that year and all subsequent years the property is eligible for the freeze. For Cook County only, applications must be submitted on or before January 31st of the assessment year. For all other counties, it'd be December 31st.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Lauzen, on House Bill 154. Out of -- out of the record. Senator Radogno, on House Bill 305. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 305.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

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Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno, on House {sic} Amendment No. 1.

SENATOR RADOGNO:

Thank you, Madam President. Amendment No. 1 does four things. It adds day care, but limits it to municipalities under one hundred thousand. It adds transition language. It adds changes requested by the Comptroller, and it clarifies reasonable distribution as it relates to eligibility factors.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Discussion? Seeing none, all those in favor say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Amendment No. 2 addresses a situation in the Village of Roselle, with very narrow language.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Radogno, on House Bill 306. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 306.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Amendment No. 1 adds a ten-year sunset, as was requested by a committee Member.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there -- is there discussion? Discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Petka, on House Bill 470. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 470.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. Senator Dillard, on House Bill 487. Senator Dudycz, on House Bill 526. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 526.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Madam President. The original bill was meant to address the problem of street gangs' use of cloned electronic devices, such as pagers, to gather information on law enforcement investigations. During the discussion on the legislation, the Members of the Judiciary Committee pointed out some problems regarding accidental overhears of cellular phone conversations. And Amendment No. 3 becomes the bill, addressing all those concerns. I believe it removed all objections to the bill and I would seek your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the

amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Weaver, on House Bill 606. Read the

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bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 606.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. Senate Floor Amendment No. 1

allows riverboats to petition the Gaming Board for permission to conduct dockside gambling. The Board shall have the discretion to grant or deny petitions on a case-by-case basis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Burzynski, on House Bill 619. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 619.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted one amendment.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for

consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan, on Amendment No. 2. Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. Amendment No. 2 requires that the State ID must be a driver's license or an ID issued by the State, not just any ID.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Luechtefeld, on Amendment No. 3.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. Amendment No. 3 to House Bill 1619 {sic} (619) simply requires that the -- the law does not preempt home rule.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, on Amendment No. 4.

SENATOR BURZYNSKI:

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Thank you, Madam President. Amendment No. 4 contains changes requested by the Office of Banks and Real Estate. Basically technical amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments?

SECRETARY HARRY:

Amendment No. 5, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. I'd like to table Amendment No. 5.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion. Is there discussion? The amendment is tabled. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 6, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski, on Amendment No. 6.

SENATOR BURZYNSKI:

Thank you, Madam President, for your indulgence of this fine House Bill with six amendments on it. Five now. This one basically says it allows local units of government to regulate pawnbrokers and have stricter restrictions than the State.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Emil Jones, on House Bill 737. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 737.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Noland, on House Bill 1279. Senator Petka, on House Bill 1285. Senator Maitland, on House Bill 1383. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1383.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Rauschenberger, on House Bill 1409. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1409.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The amendment permits the ICC to entertain special rate making for privately held water utilities. I'd appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Mahar, on House Bill 1443. Senator Syverson, on House Bill 1720. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1720.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 2.

SENATOR SYVERSON:

Thank you, Madam President. Amendment No. 2 clarifies some of

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the concerns that the committee had and I think that finally resolves this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Discussion? Discussion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 3.

SENATOR SYVERSON:

I apologize, Madam President. Senate Amendment No. 3 clarifies the problems in Senate Amendment No. 2. This should finally clarify the problems that were first found in Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Sieben, on House Bill -- oh. Senator Syverson, on House Bill 1773. Out of the -- read -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1773.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for

consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson, on Amendment No. 1.

SENATOR SYVERSON:

Thank you, Madam President. This amendment mirrors the bill that was passed earlier this year in the Senate. I think our intentions are just to hold this bill, though, once the amendment is added.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Sieben, on House Bill 1825. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1825.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for

consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, on Amendment No. 2.

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SENATOR WATSON:

Yes, thank you very much, Madam President. Amendment No. 2 now becomes the bill and deals with the Department of Natural Resources and their ability to work with the Endangered Species Protection Act. This gives them some flexibility, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Halvorson, on House Bill 1559. Read the

bill, Mr. -- 1959. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1959.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on House Bill 2103. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2103.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for

consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Madam President. Floor Amendment No. 1 requires a particular housing authority to immediately notify a leaseholder residing at the facility. This was done at the request of the -- the Judiciary Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Amendment No. 2.

SENATOR DUDYCZ:

Thank you, Madam President. Amendment No. 2 deletes the requirement that Corrections must inform the housing agency of a juvenile who has been adjudicated delinquent for an offense that would be a felony if the person had been an adult.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there further Floor amendments approved... Is there discussion? Discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on House Bill 2163. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2163.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Amendment No. 2.

SENATOR DUDYCZ:

Thank you, Madam President. Amendment No. 2 guts the shell bill, inserting language which would have DCCA establish a grant

program for international tourism.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Syverson, on House Bill 2574. Senator Maitland, on House Bill 2610. Senator Klemm, on House Bill 2617. Senator Emil Jones, on House Bill 2770. Read the bill, Mr.

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Secretary.

SECRETARY HARRY:

House Bill 2770.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Resolutions.

SECRETARY HARRY:

Senate Resolution 131, offered by Senator Link.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 132, by Senator Parker.

It's substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

...further business to come before the Senate? If not, the
Senate stands adjourned until 8:30 a.m. 8:30 a.m. The Senate
stands adjourned.